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A HISTORY OF TRADE UNIONISM IN AUSTRALIA

By

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Secretary to the Federal Government Basic
Wage Commission, 1920; Tutor in Industrial
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MELBOURNE

MACMILLAN & CO. LTD.

Head Office: LONDON

1921



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The scarcity of authoritative Australian books on economic, social and political problems has been severely felt during the development of the Workers' Educational Association in the Commonwealth. On the foundation of the Federal Council of the W. E. A. in 1918, a means of overcoming this difficulty was sought. Among the professors, lecturers and tutors who have so readily assisted the tutorial class movement, some had collected valuable material bearing on these problems. Through the Federal Council it was thought possible to assemble this material for publication in a series of monographs intended for the use of students in tutorial classes and elsewhere. Thus has the W. E. A. Series of publications been founded, and it is hoped that its utility will extend beyond the immediate needs of the members of the W. E. A. to the growing number of students of social problems in Australia.

The chief aim of the series being to encourage investigation in a field of study hitherto surprisingly neglected in Australia, the W. E. A. does not accept responsibility for the views expressed by the writers therein. Its purpose is to stimulate thought, not to propagate doctrines. A disclaimer of this kind may appear odd in a preface, but our experience of the persistency with which our critics insist on attributing to the Association the opinions of those who happen to be connected with it, has convinced us that it is necessary.

G. V. PORTUS,

General Editor.

AUTHOR'S PREFACE.

The subject matter contained herein was submitted to the University of Melbourne, and was awarded the Harbison-Higginbotham Scholarship in 1919. It is the result of extensive research work, during the course of which all possible sources of information have been drawn upon. The Bibliography printed at the end of the book furnishes particulars of the many publications consulted. Of the early history of Australian Trade Unionism practically no published information is available. This necessitated search through newspaper files.

My thanks are due to Mr. Gerald Lightfoot, M.A., LL.B., with whom I collaborated some five or six years ago in the preparation of a short history of the same subject, for permission to use the material then jointly collected in this more extensive investigation.

I am under a very great obligation to Professor Meredith Atkinson, M.A., of the Melbourne University, for invaluable help and advice, in the preparation of the matter for publication.

I also wish to express my thanks to many Trade Union Officials in all States, who have willingly rendered such assistance as they were able. They are so numerous that to mention them all would make much too long a list.

In a task which has entailed such a large amount of research work, and the examination of many conflicting reports and opinions, I cannot hope to have altogether escaped mistakes or wrong interpretations. I look upon this work as a preliminary step to a more exhaustive and intensive investigation into the subject of Trade Unionism, and should be grateful to receive criticisms or corrections in order that, should another edition be needed, they can then be dealt with.

I would like to add a word of appreciation of the Workers' Educational Association. I owe more than I can adequately express to that movement, and it is a great satisfaction to me that this book is to appear in the series of publications issued under the auspices of that Association.

J. T. SUTCLIFFE.

Melbourne, April, 1921.

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I.—INTRODUCTION.

(1) General.

Trade Unionism occupies a position relatively stronger in Australia than in any other country in the world, as the following table shows:—

TRADE UNIONS.—TOTAL MEMBERSHIP AND NUMBER OF MEMBERS PER 1000 INHABITANTS, 1914.

(Labour and Industrial Branch, Bureau of Census and Statistics, Report No. 7.)

Country	Membership in thousands	Popula- tion in thousands	No. of Mem- bers per 1000 inhabitants
Australia	523 ..	4,941 ..	106
United Kingdom	3,960 ..	46,036 ..	86
*Germany	4,841 ..	65,426 ..	74
New Zealand	74 ..	1,090 ..	68
Denmark	156 ..	2,860 ..	54
†France	1,499 ..	39,660 ..	38
Holland	228 ..	6,114 ..	37
†Switzerland	127 ..	3,781 ..	34
*Belgium	214 ..	7,571 ..	28
*Italy	972 ..	35,238 ..	28
*United States	2,605 ..	95,411 ..	27

*1913 Figures.

†1912 Figures.

As might be expected, the movement has had a marked influence upon the economic and social development of Australia in the past, and will, undoubtedly, be called upon to play a most important part in the solution of economic and social problems arising after the war. Its development has proceeded on lines peculiar to Australia

and in many respects distinct from the development of the movement in other countries. This is more particularly true of its history since Australian Federation. In its inception, however, it was modelled largely on English precedents and followed the line of development of the movement in that country. For that reason the history of Trade Unionism in England is of interest to the student of the movement here. The most complete history of English Trade Unionism is that compiled by Sidney and Beatrice Webb, which still remains the standard work. It is unnecessary, therefore, to deal at any length with the early history of the movement in England; but without some reference the history of the movement here would be incomplete. More especially is this so as the movement was well established in England before its introduction here, and, further, it has to be remembered that the founders of Australian Trade Unionism were, in most cases, men who had been connected with the movement in England.

(2) Rise of Trade Unionism in England.

Some well-known writers on Trade Unionism have endeavoured to establish a connection between the craft guilds of the Middle Ages and the Trade Unions of more modern times. Recent writers, however, and among them may be mentioned Sidney Webb, are generally agreed that, while there are some points of similarity, there are so many points of difference that the connection cannot legitimately be established. It is true that both are organisations concerned ultimately with the same specific purpose, the maintenance of the standard of life, and both rest, in principle, upon the conviction that combined action can alone realise this purpose. There, however, the resemblance ends. The history of the craft guilds has received attention from many writers, and it is clear that these organisations comprised only skilled artisans, while membership was restricted to those who dwelt within the walls of one and the same town. Further, membership was compulsory and not voluntary. It would appear, however, that the vital difference lies in the fact that the membership of the guilds comprised all grades of producers—the manual worker, the middleman, and what is now described as the capitalist. The modern Trade Union is comprised of workers only; the craft guilds

included the masters as well. The craft guilds were concerned not only with the interests of the workers as such but with those of the public also. They were semi-public bodies, subordinate, it is true, but yet integral parts of the municipal administration. In short, craft guilds and Trade Unions exhibit differences as fundamental as those of the two separate economic systems which they represent. The mediæval system was characterised by individualist production, economic self-sufficiency, customary price, and restriction of competition. Modern capitalism is based upon co-operative and large-scale production, a dependent working class, world markets, and free competition—qualified by commercial combines and State intervention. Organisations of producers in the two periods run parallel to their main economic features.

In the later Middle Ages there arose associations known as yeomen or journeymen guilds, formed within the craft guilds, but maintaining a separate, and, where possible, an independent, existence. These arose in consequence of the fact that journeymen were sinking into the position of permanent wage earners and found their prospects of economic advancement increasingly difficult under the gradual development of the capitalistic system of industry. This economic dependence makes for a far greater degree of similarity between the yeoman guilds and modern Trade Unionism than between the craft guilds and Trade Unions. They were, however, unable to establish stable and permanent organisations. While it was becoming more and more difficult for the hired worker to achieve independence and mastership, yet the way was always open for the more enterprising to do so, and so long as this was the case a permanent and efficient association was out of the question. Later these yeoman guilds came to be composed mostly of small masters and, in some cases, of men of substance serving their time of probation before being admitted to the craft guilds, and all resemblance to Trade Unionism disappeared.* Throughout the eighteenth century occasional combinations of artisans were formed, but, in the opinion of the writers just referred to, these early combinations were trade clubs rather than Trade Unions, in which no trace could be found "of that sense of solidarity between the manual

*See "History of Trade Unionism," S. and B. Webb, 1907.

workers of different trades which afterwards became so marked a feature of the Trade Union movement.”* It was not until the Industrial Revolution, which largely deprived the workers of their economic independence, that Trade Unionism, as we know it to-day, assumed a permanent and stable form of organisation. In the concluding decades of the eighteenth century the governing classes became alarmed at the advance which organisation among the working classes was making. The movement at this period was of a somewhat violent character, and, further, there was a fear that the horrors of the French Revolution might be repeated in England. The Combination Acts of 1799 and 1800 were the outcome of this state of mind among those in authority, and were passed for the express purpose of keeping the workers in their places. The growing belief in the doctrine of Adam Smith, that any interference with the law of supply and demand was contrary to the well-being of industry, may also have had its influence in the introduction of this legislation. Until the Acts of 1799 and 1800 there had been no general enactment against combination of workers. In a number of trades combination had been expressly forbidden, and the common law condemned this kind of combination equally with others in restraint of trade. The legislation of 1799 and 1800, combined with the law of conspiracy, made it criminal to join a Trade Union or to organise a strike. The Acts expressly prohibited combinations of any kind in restraint of trade or for the purpose of increasing wages. The penalties for breaches of the Acts were of the severest character, including as they did imprisonment and transportation for long periods. It is true that employers’ combinations were equally illegal, but in practice it was found difficult, if not absolutely impossible, to secure prosecutions against employers, but easy to secure them against workers. Though the Combination Acts were expressly designed to destroy Trade Unionism they failed to fully accomplish that end. In the highly skilled trades, and in those trades in which machinery had not been introduced to any large extent, they continued to exist, though their growth was checked as the result of this legislation. In those trades where machinery was being rapidly introduced, all attempts at organisation were

*See page 39 op. cit.

met with violent opposition and the enforcement of the penalties provided under the Acts. It is remarkable that while these Acts were on the Statute Book there was little agitation for their repeal. This may have been as much due to the lack of communication and intercourse between the workers in the different parts of the country as to indifference on their part. The textile operatives of the North of England were probably ignorant of the fact that their sufferings under the operations of the Acts were paralleled by the experience of workers in other parts of the country. The credit of engineering opposition to the Acts, and agitation for their repeal, which took place in 1824, must be given to one man, and he a tailor of London, Francis Plaice by name.* The Act passed in 1824 to replace those repealed was highly satisfactory to the workers. It not only sanctioned combinations of workers, but in effect legalised picketing and other weapons for the enforcement of the workers' demands. In the following year another Act, not quite so favourable to Trade Unionists, was passed. While preserving the right to combine, coupled with it was a Conspiracy Act which penalised acts done in restraint of trade.

For all practical purposes, therefore, modern Trade Unionism began in 1824. A few unions established many years prior to this date have preserved a continuous existence up to the present, but the real work of organisation commenced about this time, and as a direct consequence of the liberty granted by legislation to combine for Trade Union purposes.

The fifteen years succeeding the repeal of the Combination Acts comprised probably the most revolutionary period in the history of English Trade Unionism. It was the day of doctrines and tactics which bear a strong resemblance to those of the French *Confédération Générale du Travail* or of the Industrial Unionists in America. The Grand National Union of the United Kingdom was formed by the cotton spinners and piecers in 1829. This was followed soon after by the National Association for the Protection of Labour. This latter association enrolled in a very short time about 150 different unions, with 100,000

*P. 85 et seq. History of Trade Unionism, S. and B. Webb, 1907 Ed.

members, in the textile, metal and other industries, and published a weekly newspaper, "The Voice of the People." In less than two years both the Grand National and the National Association had dwindled into insignificance. They were entirely overshadowed by the Builders' Union, a militant society known as "The Trades Union." It embraced all sections of the building trades, and was distinguished by an elaborate ritual with startling oaths and secret ceremonies. From the first it was engaged in violent disputes with the employers, who made a vigorous and united attack on it. Their chief weapon was "the presentation of the document," a method which was in later years followed by Australian employers in several disputes.* Between the masters' attacks and its own internal dissensions this union soon fell to pieces, and was followed in turn by the Grand National Consolidated Trades Union. The idea of militancy, based on an uncompromising avowal of the class struggle, was prevalent at this time. The idea of a general strike was advocated, but it was not to be so much an insurrection as a simple passive resistance which would paralyse business and throw the whole machinery of government into confusion. Intoxicated with these ideas, which were strongly advocated by the Grand National Consolidated Union, the workers embarked on their brief struggle. Soon this Union had nearly 1,000,000 members drawn from all classes of workers. Instead of the general strike eventuating, the union soon found itself plunged into small sectional disputes all over the country. These disputes were ruinously costly to the union, and in nearly every case the workers were beaten. In less than a year these unsuccessful and costly strikes, accompanied by serious internal trouble in the union itself, resulted in the Grand National falling to pieces.†

Beaten on the industrial field the workers turned to political action, and in the Anti-Corn Law League and the Chartist Associations were to be found many of the leaders of the Trade Unions mentioned. From 1843 onwards there was a very noticeable change in the development of Trade Unionism. The change in ideas

*See page 43.

†For a more complete history and criticism of this period see "History of Trade Unionism," by Webb, and "Trade Unionism," by C. M. Lloyd.

and policy resulted in the unions turning their attention and energies to the problems of organisation and to laying the foundations of the great societies of that period, many of which have continued to grow and are to-day strong forces in the unionist world. The new model upon which these unions were organised is well illustrated in the amalgamated societies such as the engineers, the carpenters, etc., and it is to such societies as these that the movement in Australia is indebted for its pioneers.

While it is true that the establishment of Trade Unions of this character in Australia did not take place until the middle of the nineteenth century, it will be necessary to make some reference to events which occurred during the early years of the century. In the next section a review, necessarily brief, is given of events which may be considered to have some bearing upon the development of Trade Unionism in later years.

II.—LABOUR IN AUSTRALIA DURING THE FIRST HALF OF THE NINETEENTH CENTURY.

(1) Early History of the Working Classes in Australia.

The early circumstances of the Commonwealth of Australia were unfavourable to the growth of Trade Unionism. The first arrivals, who landed at Botany Bay in 1788, numbered just over 1000 persons, and included about 700 convicts. The head of the settlement, Governor Phillip, in his first formal speech, said, "What Frobisher, Raleigh, Delaware and Yates did for America, that we are met to do for Australia, but under happier circumstances. We are here to take possession of this fifth division of the globe on behalf of the British people, and to found a State which we hope will not only occupy and rule this great country, but will also be a beneficent patroness of the Southern Hemisphere. How grand is the prospect which lies before this youthful nation!"

To the insurrection of the American colonies and their ultimate separation from Britain is due the fact that Botany Bay was chosen as a convict settlement. With America no longer available the gaols in England were soon filled to overflowing with prisoners sentenced to terms of transportation, and for which no suitable place seemed to be available. Africa had been tried and found to be unsuitable, and eventually the British Government decided to send convicts to the newly discovered continent. Free settlers were from the first welcomed, and were encouraged to come by the offer of free grants of land. These free settlers first began to arrive in 1792, others arriving in 1796 and 1798. By the end of the century there was a fair sprinkling, mostly engaged in agriculture.

The rapid increase of population in England which followed the close of the Napoleonic wars provided a constant stream of immigrants anxious to make their fortunes in

Australia. The speedy result of this immigration was a change in the industrial conditions of the colony. Another factor operating in the same direction was the practice of indentured labour. The Constitution Act of 1823 legalised the practice of indentured labour, that is, entering into articles of service for a period of seven years or under, by young men with employers of labour. The employers paid the passage money of these youths from England, and the Act provided for the enforcement of any agreements entered into, both against the parties to them and third parties who attempted to break them.

Another method adopted by the Government to promote settlement was the granting of a moderate area of, say, 300 or 400 acres of land, to every free settler or official who desired it and to assign to him the services of a limited number of convicts, in return for which he undertook to relieve the Government of the cost of their maintenance.

This latter practice was inimical to the best interests of the growing community. The services of these assigned labourers were, in many cases, almost worthless. The system did a great deal to put the relationship of employer and employed on a bad footing. It was not, however, discontinued until the year 1838, shortly before the final abolition of transportation to New South Wales, which took place in 1841.

As the immigration of free settlers increased, the artificial state of industry produced by the convict system wore away, and the invariable process of social development set in. At first, new lands were occupied, rather than settled, by groups of pastoralists, whose wants were few and simple, and who claimed the right to roam over vast areas of land which remained in its natural state. The chief object of these people was to make a fortune and return to England. They were principally men of good family come to try their luck. In addition to this class of settler there were those with humbler objects, whose chief concern was to make themselves a home, and it was to this class that Australia was primarily indebted for the progress of settlement in the early days. The good example of the new colonists spread to their neighbours, notwithstanding the fact that there was for long a deep social gulf between the two classes of free men and emancipists or time-expired convicts. When the Government saw that

there were sufficient free settlers engaged in supplying the local market with food products, it willingly relinquished the operations it had been compelled to carry on in the interest of the settlement itself, and the community approached more nearly to the familiar model of industrial life. For a considerable time, however, the people of the settlement were largely dependent upon importations for many of the necessities of life, and during the 'thirties prices of commodities fluctuated considerably, according as to whether the supply in the market was good or meagre.

After 1841 convicts were sent to Tasmania, or Van Diemen's Land, as it was then called, to Queensland and to Western Australia. For some time convicts arrived in Tasmania at the rate of 3000 a year. To such a small colony this number was appalling, and called forth strong protests from the inhabitants, and so in 1846 the English Government attempted to revive transportation to New South Wales under the following conditions: for every convict a free immigrant was to be sent out; for every man, a woman; provisions to be made so that the herding of convicts together in gangs should be obviated. The Legislative Council of New South Wales agreed to these proposals, but the public opposed them. While this scheme was being discussed a less openly offensive one was put into operation. Offenders, whose punishment was partly completed, were granted pardons conditional on their agreeing to be sent to Australia and to remaining there for the period of their sentence. These exiles, as they were called, were welcomed at first, both in Sydney and Port Phillip, but when the English Government began to send out ship loads of ticket-of-leave men, who were still legally convicts and subject to police supervision, the public of the colony protested most emphatically. They refused, both at Sydney and Port Phillip, to allow the ships to disembark their passengers, and they had to be sent to the Moreton Bay settlement. The English Government for some time refused to take no for an answer, but a strong anti-transportation league was formed, which organised a continual stream of petitions from all parts of the colony. In 1850 another proposal was made by the Legislative Council to re-introduce convict labour, but public opinion was so strongly against the proposal that it had to be abandoned.

Coal had been discovered as early as 1797 at Illawarra and Newcastle. Until the year 1821 the mines were worked entirely by convict labour. After that year free labour was employed by the company which had secured the mining rights in these districts. Moreover, manufacturing of various kinds had begun, though of course the production was not large. It is interesting to note that during these early years some difficulty was experienced in securing the proper proportion of artisan labour. Even as early as 1831 advertisements appeared in the Sydney newspapers for artisans of various kinds, offering liberal wages and constant employment, while in 1838 Sir George Gipps, the Governor, sent the following despatch to Lord Glenelg:—"I beg leave to recommend to your Lordship that a Government ship should, as soon as possible, be sent to Port Phillip, and that another should follow after the lapse of four or five months. A mixed company of immigrants, partly mechanics and partly farm labourers, would be most acceptable; and the mechanics should consist principally of carpenters, bricklayers (not masons), and smiths." The Legislative Council at Sydney in the same year appointed a committee to consider the subject of immigration, and several of the witnesses appearing before that committee stated there was a lack of available labour at Port Phillip. There is no doubt the Government did all in its power to assist immigration, but the general circumstances of the time, and inducements soon afterwards held out by the colonies themselves, were more powerful incentives.

(2) Establishment of Benefit Societies.

From what has already been said, it will be easy to understand that the conditions in the first half of the nineteenth century were not such as to be conducive to Trade Union development. There were not wanting signs, however, that the spirit of association was manifesting itself. This was shown in the first place by the formation of Benefit Societies in connection with various trades. As early as 1831, when the total population of the whole of the continent was less than 80,000, several such societies were formed. The earliest of which any record can be found was that of the operatives engaged upon ship and boat building in Sydney. The example set by these workmen caused much interest among the workers in other

industries, and very shortly afterwards three other societies were formed on the lines of that already mentioned. It is difficult to discover what was exactly the constitution of these benefit societies. No records appear to have been kept, but, from the accounts given in the newspapers of that time, they would appear to have been generally established to provide sick and funeral benefits, while in some cases unemployed benefit was also included. In 1844 a Printers' Benefit Society was established in Melbourne, which provided sick and funeral benefits and unemployment allowances. The entrance fee to this society was five shillings, while the weekly subscription was one shilling. The advantages offered to members were sick or unemployed benefits of twelve shillings to fifteen shillings per week for a certain period, with half pay for a further period. The funeral allowance was £5. This form of organisation was common amongst English workers of the same generation, and was often the forerunner of the Trade Union.

Early records in the possession of the Australian Society of Progressive Carpenters and Joiners show that a year later a similar society was formed among the workers of that industry.* In addition to the financial aspects of these societies, in some cases they had other objects as well. For instance, the drapers' assistants of Sydney formed an association having for its objects the moral and intellectual advancement of its members. A benefit society was part of this association.†

The development of this form of association, however, is outside the scope of this review, and the foregoing is

*At a meeting of this Society held on January 10th, 1854, a Mr. Jas. Coleman gave to the officials of the trade union possession of a chest which contained books, papers, and £2/6/10½ in cash, held in trust by him as the property of the late Friendly Society of Carpenters and Joiners, i.e., the one formed in 1845.—The Co-operator Eight Hour Souvenir, 7th October, 1912, 435 Kent-street, Sydney, N.S.W.

†The resolution passed at the preliminary meeting for the purpose of forming the association read as follows:—"That an association be formed having for its object the moral and intellectual advancement of its members; that a benefit society be connected with it for the relief of such members as may from sickness and other causes—not their own neglect—lose their situations and require such relief; that also a mutual improvement or debating society be in connection with the same at which subjects of scientific and social interest be discussed." Some weeks later advertisements appeared in the press advising that rooms had been taken for the purposes of the association.

presented merely to show the lines upon which the workers of Australia first used the power of organisation.

(3) Temporary Combinations of Workers for Special Trade Purposes.

Reference has already been made to the period 1824 to 1843 as one of revolutionary ideas among Trade Unionists in England. Communication between this country and England was, of course, infrequent, as the only means of such communication were by letters carried on sailing vessels. Yet no doubt news would reach the workers here of the steps taken by their fellow-workers in England to better the conditions of employment. The circumstances of the country, sparsely populated as it was, and the peculiar condition under which convict, indentured and emancipated labour were utilised in production, were all against Trade Union organisation, similar to that in England in the same period. Records show, however, that combinations of a temporary character were organised during this period. The objects of these combinations were similar to those generally included in Trade Union activities in England. One of the first combinations on record was founded in 1837. In that year seamen and labourers employed in fitting out vessels for sea at the port of Sydney demanded an advance on the ruling rate of wages, which was at that time three shillings per day, and refused to engage with shipowners except at four shillings per day. A meeting of the shipowners was called to consider this demand, and they unanimously signed and issued a manifesto that the increase was not warranted, either on the ground of insufficiency of labour or inadequacy of wages, but that the demand had been made by a "systematic organised body whose intentions are not yet fully developed, but whose objects, if accomplished, would materially retard the progressive advancement of our colonial marine." This is not given as the only instance of such combinations at this period; doubtless there were many others. Some three years later, however, there appears to have been considerable unrest and agitation on the part of similar combinations. In the early part of 1840 an organisation bearing the name "Australian Society of Compositors" was actively engaged in an endeavour to improve the regulations with regard

to the proportion of apprentices employed.* The leader in the "Sydney Gazette" of the next day is interesting. Attention is drawn to the law forbidding unlawful combinations of workers and conspiracy, and surmises that the society lays itself open to criminal prosecution under these laws. It goes on to say that this association seeks to prescribe laws for the government of the employers of its members, and, after a tirade against the secretary, concludes by asking "where the number of compositors is so small, actually insufficient to perform the work required to be done, are the masters of the trade to be prevented from instructing boys and young men in a knowledge of the art?" The leader closes by advising the respectable men of the trade to retire from all connection with men whose conduct is directed solely with a view to secure to themselves a power to indulge the vilest propensities of their nature at the expense of others.† It is evident that the members of the Society sought to enforce their demands by declaring a strike, and, as a result, both the newspapers published at this time in Sydney suffered a certain amount of inconvenience. It is doubtful, however, whether all the compositors were members of the society, as the papers were both able to go to press, though the "Herald" had to postpone the publication of daily editions, while the editor of the "Gazette," in subsequent issues, laments his inability to publish the usual supplements. Letters and advertisements were sent to England with a view to securing workers from there. Some light is thrown on the earnings of the compositors at this period from a statement published in the "Herald" during the dispute. It tells us that the average earnings of eight of the compositors for twenty-three weeks amounted to £3/8/10 per week. How

*The letter sent to the "Gazette" was printed in full in that journal, and reads as follows:—

Sir,—At a general meeting of the members of the Australian Society of Compositors held last evening I was instructed to forward to you the following resolution passed at a general meeting of the society on the 8th instant, to which your answer is respectfully solicited before Saturday evening next. In any office employing 2 journeymen permanently 1 apprentice shall be allowed; where more than 3 men, 2 apprentices; more than 6 men, 3 apprentices; more than 15 men, 5 apprentices; more than 20 men, 6 apprentices, but in no case not more than 6 apprentices to be allowed.—Yours respectfully, P. TYLER, Secretary."

†See Sydney "Gazette," 21st January, 1840.

long the society continued in existence or what was the ultimate result of the agitation for the regulation of apprentices has not yet been made clear. The probability is that it soon ceased to exist, as several of its members were sentenced to two months' imprisonment with hard labour for absenting themselves from work without leave.* For many years afterwards, this question of the proportion of apprentices to be allowed was a source of trouble between employers and employees in the printing trade.

Later in the same year both the tailors of Sydney and the carpenters and joiners of Melbourne were on strike. The former had been offered eight shillings a day by their employers, but had refused it and demanded a higher rate. The carpenters and joiners of Melbourne were in receipt of twelve shillings a day, which they had received as the result of a previous strike, but now demanded a further advance of two shillings a day. It is evident that at this time the supply of labour, in some industries at least, was unequal to the demand. No doubt opportunity was taken by the workers of this state of affairs to endeavour to secure higher wages.†

This spirit of unrest on the part of the workers was met by the passing of a Master and Servants Act, with provisions of greater stringency than those contained in the regulations issued in 1828. In spite of resolutions of protest made at public meetings, held during the progress of this measure through the Legislative Council, and the presentation of these resolutions to the Governor by deputations appointed for that purpose, the Act was passed. Doubtless this explains why there was so little progress in the matter of combination during the years immediately following. Under this Act conspiracy to raise wages or otherwise improve the conditions of labour, the

*No reference to this early organisation can be found in any of the publications furnishing information with regard to the early history of the Typographical Society.

†The Sydney "Gazette" of the 20th August, 1810, states:—"The striking mania seems to be gaining ground in Australia. The journeymen tailors have struck, and many other professions show a like disposition. By the Port Phillip papers we perceive that the journeymen carpenters and joiners have likewise struck, refusing to work for less than four guineas per week. This is rich—it is exquisite!—and we hope it will be copied into every journal in the mother country. Our Port Phillip correspondent informs us that the veriest nincompoop . . . turns up his nose at any wage less than £1 a week and rations. . . . Surely this ought to convince Government of the necessity for further immigration."

breaking of agreements by employees, or leaving employment without notice were offences punishable with imprisonment. During the 'forties the newspapers contained many records of successful prosecutions under this Act.* As a result it would appear that combinations of workers in New South Wales at any rate were for the time effectively put a stop to. In the other colonies, however, instances of such combinations are on record. Both in South Australia and Tasmania the workers combined to enforce their demands, or to resist oppressive conditions.†

There was considerable activity in the matter of Trade Union organisation, on lines similar to that in force in England at that time, in the 'fifties, principally among the employees of the building trades. The first of these unions was that of the Operative Stonemasons' Society, formed in Melbourne in 1850. It had a membership of twenty-five to begin with, but the discovery of gold some ten months after its formation led to its temporary collapse, and it was not until 1855 that it was again re-organised.

The years from 1799 to 1850, therefore, cover a period of evolution from a convict settlement to a community similar to that in existence in England at that time, with its familiar relationship of employer and employee. The Trade Unions in Australia prior to 1850 were confined to the few trades needed by a new colony, developing its settlement and community life on simple, non-industrial lines. During these years trade organisations for mutual benefit on the lines of Friendly Societies were established, and occasionally temporary combinations were formed for the

*In 1848 nine seamen were sentenced to terms of imprisonment ranging from nine to fifteen months, for having in combination refused to work under an officer to whom they objected. In the same year a tailor was sentenced to twenty-eight days' imprisonment for failure to commence work after he had been engaged. These are only two instances but they could easily be multiplied. They serve to show the risks attendant upon any attempt to combine or to seek to improve the conditions of labour.

†Both the miners and carters at the Burra Burra mines in South Australia were involved in a dispute during 1848. The miners had been receiving 25/- per week, and the Company reduced this to 21/- per week, and also sought to make a reduction in the rates paid to carters. The men went on strike and the mines were idle for a considerable time.—(Sydney "Morning Herald," October, 1848.) The tailors of Hobart evidently had some organisation as early as 1848, for in that year they went on strike as the result of the employers engaging men not belonging to their society (ibid. January, 1848). Probably this is the earliest instance on record of the endeavour to secure preference to unionists in Australia.

purpose of enforcing demands on, or resisting oppression by, employers. Trade Unionism, however, made little or no progress until after the gold discoveries. After the excitement of that period had subsided, and a more normal state of affairs had been established in the industrial world, the organisation of Trade Unions of a permanent character began. The great increase in population attracted by the gold discoveries hastened their development, for the capital and labour essential to industrialism were now available.

Since the writing of this chapter some light has been thrown upon the State of Australian Unionism before 1850 by the researches of Miss Leila Thomas, M.A., Tutorial Class Lecturer in the University of Sydney. She has discovered a Cabinet Makers' Society formed in 1833 to maintain piece work prices in the furniture trade, and a strong Typographers Society, founded in 1836, and existing for at least nine years. In 1840 there were 10 societies in existence, which appear to have exhibited all the essential features of Trade Unions.

Miss Thomas has not yet completed her researches, and they have not yet been published. Unfortunately, therefore, it has not been possible to incorporate the results of her work in this chapter.

III.—THE PERIOD 1850 TO 1870.

(1) Pioneer Trade Unions in Australia.

It is interesting to note that, before the great rush to the goldfields, the condition of the working classes in Australia was said to be fairly satisfactory. Indeed, a leader in the "Sydney Morning Herald" of that time claims that in no other country were they so well off.* In contrast to this state of affairs in Australia, there were at this period serious disturbances, practically throughout Europe. These upheavals led many Continental rulers to the conclusion that it was wiser to allow turbulent spirits to depart from the country than to keep them. The new era of industry had completely unsettled the old relationships and awakened a spirit of restlessness. Finally, the recent application of steam to sea-going vessels had rendered a rapid decrease in the length of the voyage from Europe to Australia a practical certainty, and the discovery of gold in various parts of this continent led to a swarm of pilgrims from all parts of the world making for the diggings. Many, perhaps the majority of the arrivals, were totally unfitted for the actual work of mining. Some of these turned to other pursuits in the neighbourhood of the diggings, and in no small number of cases did far better than the diggers whose gold they received.

The early development of Trade Unions in Australia coincided with the peaceful growth of important unions in England. Reference has already been made to the Operative Stonemasons' Society, established in Melbourne in 1850, but which temporarily collapsed when its members joined the rush to the gold diggings. The Typo-

*The operative classes, generally speaking, are in full work with liberal wages, and the necessities and comforts of life being plentiful, and on the whole comparatively cheap, it may be said that in no part of the world are these classes better off than they are here; it might perhaps be added that in no other country are they so well off."—Sydney "Morning Herald," 1st January, 1851.

graphical Association was first formed in Sydney in 1851. A Typographical Association was also formed in Melbourne in the same year, but, like the Stonemasons' Society, it collapsed as a result of its members leaving the printing press for the goldfields. It was re-organised again in 1858 for a short time, but it was not until 1867 that the society as at present in existence was formed. In Sydney the Amalgamated Society of Engineers was established in 1852; the Operative Stonemasons in 1853, and the Australian Society of Progressive Carpenters and Joiners in 1854. In Victoria, in addition to the Operative Stonemasons' Society, which was re-organised in 1855, other branches of the building trades were organised about the same time. The Typographical Association of Ballarat was formed in 1857, and the Operative Bakers in 1862. From 1857 to 1862 the following unions were formed in New South Wales: Plasterers', Bricklayers', United Labourers', Shipwrights' and Bakers'; and in Queensland, the Stonemasons and other building trades. It is apparent, therefore, that the new spirit of association which followed the collapse of revolutionary Trade Unionism in England during the 'thirties, and which resulted in the organisation of the great amalgamated societies, was reflected in the early organisation of Trade Unions in Australia. Still, however, these associations are confined to the skilled trades of a non-industrial community, though clearly strengthened by external influences and the changes taking place in Australian development.

The earlier unions, both in New South Wales and in the other colonies, were generally formed as the result of the action of a few of the employees calling meetings to consider the advisability of binding themselves together to protect their mutual interests. With reference to the Typographical Association of New South Wales, a local publication, of the time it was formed, says there was need for combination for improvement, and of some society to guard the interests of the profession, and to promote lawful measures for amelioration of conditions. Men were being taken into the trade from other callings without apprenticeship or training, except such as they could pick up during the time they were working. The association, as already stated, was formed in 1851. Records of

its early history and progress are incomplete, but it is said that it soon made its influence felt, and, with occasional breaks for short periods, a more or less effective organisation has been continued up to the present time.* The Typographical Association of Victoria was founded in 1851. The preamble to the rules of that society furnishes evidence of the prevalence of the practice of employing men who had received no training in the occupation nor served an apprenticeship. It is of sufficient interest to be quoted in full, and reads as follows:—"As an introduction to the following rules, it may not be deemed inapplicable to point out the root from whence spring the evils we have associated together to remove, which in their results are alike prejudicial to employer and employed. The introduction of a large and disproportionate number of apprentices totally unfitted by incapacity and want of education ever to become creditable workmen, may, at a superficial glance, appear a saving to the employer; but a dozen such will not, in the end, be as profitable as one well educated respectable lad who receives a moderate share of attention. The former class, during their apprenticeship, are as drones, destroying and consuming, and when freed they are his reproach, useless pests to the community on which they are thrown, and ignorant, slovenly, and incompetent workmen, who have no care for the employers' interests, and who, not infrequently, waste and destroy more of his property in one day than a twelve month's profit on their labour will compensate. Are such apprentices, and such workmen, beneficial to the employer? Certainly they are always willing to give their services at less than the true market value of good labour, from the conviction that the article at their disposal will not bear competition; but can this deceitful cheap labour so far blind the employer to his own interests to cause him to forget that, by employing it, he not only risks the waste and destruction of his valuable material, but also his repute as a printer? The fallacious opinion held by some employers with reference to labour and its value is the best proof of short sightedness and a want of experience; they try to achieve an impossibility, to reduce the value of labour and maintain the value of capital, seemingly unconscious of the truth

*"Co-operator Eight Hour Souvenir." 7th October, 1912.

that the means which cheapen labour invariably performs the same service for capital; and any attempt to trammel the value of either must result in failure and injury to all concerned. Thus the introduction by the employers of a spurious kind of labour not only injures his own interest, but more immediately the interests of the employees, who are made to suffer for a seeming superabundance as unreal as it is disgraceful to its producers. Under such circumstances it becomes the duty of the employees to unite in a demand for a fair, uniform rate of remuneration, and to make it a condition of the engagement that they be neither required to instruct a disproportionate number of apprentices, nor to work with those who have not a legitimate claim to the art. To maintain and carry out these objects the present association has been formed; not to mar or injure the interests of others, but to protect our own. In conclusion it may be added that if the employer would throw aside prejudice and, instead of opposing, encourage such associations, he would find in their respective rules and discouragement of irregular and intemperate habits the best safeguards to his own interests.”*

The Amalgamated Society of Engineers owes its origin to the fact that in consequence of the victimisation of those who took a prominent part in the Trade Union movement in England, many of the men in this calling left their native land and migrated to Australia. The records of this society show that the first meeting was held on board ship during the voyage from England.† The Operative Stonemasons’ Society of New South Wales was formed in 1853. Information as to the events which led to its formation are not available, but it is known

*The History of Capital and Labour, Oceanic Publishing Co., Sydney and Melbourne, 1888.

†The following is the record of that meeting:—Meeting at Sea.—Minutes of a meeting held on board the ship ‘Frances Walker,’ October 8th, 1852, by members of the Amalgamated Society on their passage to Sydney. Proposed and seconded that we elect officers pro tem and make the necessary preliminary arrangements for the management of a branch of the Society. Officers were elected, and it was agreed that the branch be named No. 1 Australian Branch of the Amalgamated Society. The names of the members follow and at the first meeting held after landing, on the 30th October, it was unanimously agreed:—‘That the minutes of the meeting held on board the ‘Frances Walker’ be confirmed.’ (Co-operator Souvenir Number, 7th October, 1912.)

that the principle of the eight hours' day was advocated by the society from its inception.

At first sight, it is somewhat surprising to find that, although it was the gold discoveries which attracted the great body of immigrants who arrived in Australia during the early 'fifties, no organisation on Trade Union lines was attempted in that industry until nearly twenty years later. In the coal mining industry, however, Trade Union organisation commenced some ten or eleven years earlier. The explanation lies in the fact that gold mining is, in its earlier stages at least, and particularly in the case of alluvial deposits, individualist in its production and sale. The prospector needs very little capital or additional labour, and his possible reward is immense. Coal, on the other hand, can only be properly exploited by capitalists, with large and expensive plant and a plentiful supply of wage-workers acting co-operatively. The marketing of coal is similarly complex. With the ultimate capitalisation of Australian gold-mining, the typical Trade Union of wage-earners arose, though the miners were in occasional association some years before that development.

In February, 1861, the coal miners, to the number of 1000 to 1200, employed at various collieries in the Newcastle district, held a stop-work meeting. The object of the meeting was "to form an association for the protection in case of strike or turn-out, and to regulate the daily wage of the miners employed in the collieries of New South Wales." Three resolutions were carried unanimously.

First:—That the members pledge themselves to bring about new legislative enactment for the better ventilation of coal mines.

Second:—That they are convinced of the necessity for the firmest bond of unity existing among themselves for the mutual protection of their rights and privileges, and as a class pledge themselves individually and collectively to unite together for that purpose.

Third:—That it is necessary that the miners of the Hunter River district should establish a uniform day's wage for an operative miner shall be 11/4, boys and labourers on a different scale.

Later in the year there was a dislocation in the industry, and when the mine owners of the district attempted

to replace the miners by men from the ships, the wives of the miners took a hand and stoned them off the mine. The trouble was settled by a conciliation committee consisting of representatives of the employers and of the men's union, which was known as the Hunter River Coal Miners' Protective Association. This union evidently continued its organisation, as in 1872, some eleven years later, its members were again fighting for an increase in wages and shorter hours.*

Occasionally associations of workers were still formed which were more in the nature of benefit societies than Trade Unions; they were established with the object of providing financial help in times of necessity, and also, in some cases, to provide for social intercourse.†

(2) The Eight Hour Day.

There does not appear to have been much agitation with regard to wages during the early years of Trade Unionism in Australia. The economic conditions of the working classes were greatly affected by the gold discoveries. Previously the standard of labour in England had been the practical test of the condition of these classes in Australia. After the gold era, however, the wages standard, and also the standard of living, were fixed generally without reference to the standard of other countries. As an illustration of the increase in wages which took place in the early 'fifties, it may be mentioned that the ruling rates of wages for carpenters and bricklayers in 1851 were 4/6 to 5/- and 4/- to 5/- per day respectively, without board or lodging. A despatch sent by Governor La Trobe the following year states: "Scarcely any mechanic will work; those few who do, receive an advance on former wages of from 200 to 350 per cent." In 1853 the ruling rate of wages for carpenters was 26/9 per day and for bricklayers 22/6 per day.

Somewhat later the question of the competition of the Chinese workmen was brought prominently before the workers.

*See page 35.

†The quarterly meeting of the Operative Painters' Association was held on Monday evening. The object of this Society is to promote mutual goodwill and when necessary to relieve its members, and not in any way to interfere with the regulation of wages. It is working very well.—Sydney "Morning Herald," 9th March, 1861.

The rush to the goldfields had depleted the few established industries of the labour required to work them, and so it came about that, in the towns especially, all classes of labour were in great demand and, as we have seen, wages rose to a phenomenal figure. It is to this fact that the establishment of the eight hour day, that great charter of the early Trade Unionism of Australia, owes its origin. The records are at variance as to whether Sydney or Melbourne can claim to be the first place in which recognition of the eight hour day was secured. In both places it was first granted to the stonemasons. A resumé of the eight hour movement was published in the "Australian Worker" of the 30th September, 1915. According to the writer of this article, a number of masons who had been engaged on the building of the Houses of Parliament in London had migrated to Sydney. It would appear that among them were several of high intelligence, men who had taken advantage of their sojourn in London to attend classes for improving themselves both mentally and vocationally. After some of these men, who arrived in Sydney in the year 1853, had spent a couple of summers at work, they found the strenuous labour under the more trying climatic conditions of Australia told on their health, and they resolved to agitate for a shortening of the working day. As a result of a conference between the employers and the employees the eight hour day was conceded. One employer, a contractor engaged in the building of a large brewery, refused to acknowledge the agreement, and the men employed by him came out on strike. The strike was of short duration, and all the firms in the building trade adopted the eight hour working day. Little development of the movement was noticeable in Sydney until the 'seventies. In 1871 the annual eight hour celebration was inaugurated, and four eight hour trades—stonemasons, bricklayers, labourers and carpenters—took part. In 1872 the employees in the iron trades issued a notice to the employers that in six months from the date of the notice they would demand the acceptance of the eight hour day. The notice was ignored, and the whole of employees in these trades came out on strike. As a result of this strike the employers granted the demand. About the same time the shipwrights were successful in securing

the recognition of the eight hour day, also after a strike, which lasted for five or six days.

In Melbourne, as in Sydney, the stonemasons were the first to secure recognition of the principle. At a mass meeting of the employers and employees (convened by the latter) for the purpose of discussing the advisability of reducing the working hours, it was decided that the working day should be reduced to eight hours on and after the 21st April, 1856. It should be noted that both in Sydney and Melbourne the stonemasons sacrificed a portion of their daily wage on the adoption of shorter hours. Whether they would have been as successful in securing the ready adoption of their demand had they not been prepared to do so, it is difficult to say. Later in the year 1856 the first eight hour celebration was held in Melbourne. At the second celebration held in the following year nine trades and about 700 men took part.* The coachbuilders secured the eight hour day in the same year as the stonemasons, but in 1859 a firm engaged in the manufacture of rolling stock for the railways broke the agreement, and though the employees went on strike they were not strong enough to enforce the agreement, and it was not until some twenty years later that they again secured its recognition.

(3) The First Twenty Years of Trade Union Development.

It is clear, therefore, that during the first half of the nineteenth century Trade Unionism was practically non-existent, and that during the next twenty years, while several unions were established, it cannot be said to have been at all in a flourishing condition. Though Trade Unions were formed as early as 1850, none of them maintained a continuous existence over the years during which the gold discoveries upset and unsettled industrial conditions. In the case of those unions formed after the excitement of that period had subsided, they maintained but an uncertain existence, often lapsing into a moribund condition, or becoming disbanded. It was not until the 'seventies that any material development of Trade Union-

*The history of the Eight Hour movement in Australia and in other countries has been written by Mr. Murphy, a former secretary of the Trades Hall Council, Melbourne.

ism took place. The principal object which led to the formation of the few unions of the 'fifties and 'sixties was the desire to secure recognition of the eight hour day. It is true that even at this period the introduction of Chinese labour had begun to cause trouble, but these aliens were not engaged in those occupations which had organised into unions. They were principally employed in metalliferous mining, and it was not until the early 'seventies that the employees in that industry began to organise.

The years 1850 to 1870 may be regarded as a transition period in the industrial development of Australia. By the end of that period the artificial conditions created in the early days by the introduction of convict and indentured labour, and in the 'fifties by the great influx of population to the colonies, consequent upon the gold discoveries, had almost, if not entirely, disappeared. The renewal of attention to agriculture was general, and substantial progress was also made in manufacturing industries. As these latter industries were established in the more densely populated areas of the colonies, it was there that the Trade Union movement first began. It has already been stated that, during the early years of the second half of the century, rates of wages increased rapidly. They remained at a high level for a number of years, but towards the latter end of the 'sixties there were indications of a decline. In many industries substantial decreases occurred, and this resulted in the unions enlarging the field of their activities. They organised active opposition to these decreases, but their protests were generally ineffective owing to the large amount of unemployed labour which drifted from the diggings to the more densely populated areas.

IV.—THE PERIOD 1870 TO 1889.

(1) Trade Unions Formed During the Period.

For the greater part of this period the expansion of trade and industry throughout Australia was both more extensive and steadier than at any other preceding period. Manufacturing industries prospered, agriculture and the pastoral industry made great progress, while mining for silver and other metals became an important industry, particularly in New South Wales. Further, this period was one of falling prices, not only in Australia, but practically throughout the world. Wages began to rise again, and they continued on the upward trend until 1878 and remained at a high level until 1885. This combination of rising wages and falling prices resulted in the worker being able to secure a much higher standard of living, and it is probably true that real wages were as high during this period as they have been since. As the various industries grew and prospered so Trade Unionism developed. The ensuing account of this development, though somewhat tedious, is essential in a historical treatise.

One of the earliest occupations to become organised during this period was that of gold mining in Victoria. With the decline of the alluvial workings on the goldfields, the quartz mining industry developed to a very large extent, and became an important industry. This development was due to the formation of companies having capital to install the necessary machinery and employing large numbers of miners. It was not long before discontent arose among these men consequent upon the reduction of wages, the increase of working hours, and the alarming increase in the number of Chinese employees. Meetings for the redress of these grievances and for special regulations and government for the district were frequently held. In February, 1872, the Bendigo Miners'

Union was established. The main objects for which the union was formed were—

- (a) To secure an eight hour shift.
- (b) To resist attempts to reduce wages.
- (c) To resist the admission of Chinese.
- (d) To forward legislation for the regulation of mining.

Similar unions were formed in other centres, and in 1874 a conference of these unions was held at Bendigo, resulting in the Amalgamated Miners' Association of Victoria being formed, on the lines of the National Miners' Association of Great Britain. This amalgamation consisted of twelve branches, having in the aggregate 1832 members and possessing funds to the amount of over £1000. The association soon turned its attention to the necessity for legislation for the better regulation of mining. A Bill was drafted providing for an eight hour shift, improved ventilation, and inspection of machinery. This Bill was laid before Parliament and was substantially incorporated in the Regulation of Mines and Machinery Act of 1877.

The following unions, among others, were also formed during the 'seventies. The Queensland Typographical Union was first established in 1873, but general apathy caused its suspension after a period of activity, and it was not until 1884 that it was reorganised, and in 1888 it was affiliated with the Australian Typographical Union. In the same year—1873—the Agricultural Implement Makers' Union of Victoria was formed. In 1874 the Seamen's Union was formed almost simultaneously in Sydney and Melbourne. It is stated that the stress of almost intolerable circumstances brought the union into existence. The men engaged in this calling at that time were working ten hours a day, and the wages paid were £5 to seamen and £7 to firemen per month. The immediate effect of organisation was a reduction in the number of working hours to eight per day in Melbourne; in Sydney no reduction of hours was conceded, but an increase in wages of £1 per month was granted. Some few years later the union had trouble over the Chinese question; this is dealt with in a later part of this section. The House and Ship Painters' Union of Sydney was formed in the same year as the Seamen's Union. Immediately after its organisa-

tion the union demanded an increase in wages to 9/- a day. This was at first refused by the employers, but upon the members of the union threatening a strike the demand was granted.

A realisation of the benefits to be derived from combined action is given as the reason for the formation of the South Australian Typographical Association and the Shipwrights' Union of Tasmania in the same year. In 1875 the union now known as the Federated Tanners' and Leather Dressers' Union was formed in Victoria, the title adopted at that time being the 'Tanners' and Beamsmen's Union. In order to secure a reduction in the working hours, for which purpose the union was principally formed, it was decided to present a demand for the concession of the eight hour day, and to give the employers notice of their intention to cease work in a fortnight if the demand was not granted in the meantime. Owing to some misunderstanding, the employees of a Castlemaine firm did not give the required notice, and, as they left work with the other members of the union at the end of the fortnight, they were prosecuted for a breach of the Master and Servants Act, and sentenced to three months' imprisonment without the option of a fine. The union was unsuccessful on this occasion, but some ten years later, as a result of a further strike, it secured the recognition of the eight hours' day by all the employers in the industry. The Tailors' Union of New South Wales was originally formed in 1876, but does not appear to have had any great vitality for a number of years. In 1891 the union entered upon a strike, which drained the exchequer, and it collapsed for some time. It was not re-organised until 1896. The Bootmakers' Union of Tasmania was also established in 1876. In the following year the carpenters and joiners of Hobart established a union for the purpose of securing the recognition of the eight hour day. They were successful in obtaining the concession, but owing to the subsequent apathy of the members the union collapsed. About the same time the stonemasons of Hobart organised a union of employers and employees on the guild system. An employer was chosen as secretary, but, owing to internal dissensions, the union soon ceased to exist. The Compositors' Union of Hobart, formed in the same year, was more successful than other unions formed in Tasmania

about this time. It was active from the commencement, and in 1884 became a branch of the Typographical Union of Australia. In 1879 the Operative Bootmakers' Union of Victoria, in 1880 the Coopers of New South Wales, Victoria, South Australia and Queensland, the Operative Plumbers' Union of New South Wales, the Clothing Trades of South Australia, the Queensland branch of the Society of Boilermakers and Iron Shipbuilders and the Wharf Labourers of Victoria were established. Several previous attempts had been made to organise the plumbers of New South Wales, but without success. The Clothing Trades' Union of South Australia was for many years after its organisation ineffective owing to the lack of support it received from those in the trade. Other unions organised in the 'eighties were the Tinsmiths' and Sheet Metal Workers' Union of New South Wales, and the Institute of Marine Engineers in 1881; the Operative Bootmakers' Union of South Australia and the Tailoresses' Union of Victoria in 1882; the United Tinsmiths', Ironworkers' and Japanners' Society of Victoria and the Slaughtermen and Journeymen Butchers' Union of New South Wales in 1883; the New South Wales Locomotive Engine Drivers' and Firemen's Union, the United Operative Bricklayers' Society of Queensland, the Queensland branch of the Typographical Union of Australia in 1884; the Metropolitan Plasterers' Union of Perth and the Pressers' Union of New South Wales in 1885; the Amalgamated Railway and Tramway Association of New South Wales and the Steam Engine Makers' Union of Queensland in 1886. A Navvies' Union started in Victoria in 1886 had a large amount of success, but as a result of the defalcations of the secretary it collapsed. In the same year the Gas Employees' Union, the Millers' and Mill Employees' Union and the Furniture Trades' Society of New South Wales and the Typographical Society of Western Australia were organised, and in 1889 the Bookbinders' and Paper Rulers' Union of New South Wales, and the Miners' Association of Moonta, South Australia.

Special mention should be made of the formation, during this period, of organisations of workers in the remaining sphere of the primary industries. As we have seen, the earliest organisations were those connected with the building trades and in manufacturing industries of the

more densely populated centres. Next followed the organisation of the workers in the mining industry. There still remained a great body of unorganised workers in the agricultural and pastoral industries. Several unsuccessful attempts had been made to organise the shearers prior to the formation of the Shearers' Union in 1886. In that year the pastoralists attempted to reduce the shearing rate and to impose conditions which the workers considered to be irksome. The union was first formed in Victoria, and among the earlier members were many who, in the interval between the shearing seasons, accepted employment in the mines. These had seen the benefits which had accrued to the miners through organisation of the union in that industry, and were anxious to secure similar benefits and to be in a better position for bargaining with the pastoralists, by combination. Many of these men acted as organisers for the union as they journeyed from shed to shed and from district to district, and it was not long before the new union had a fairly large membership. The Queensland Shearers' Union was formed in the same year as the Victorian union, and the Queensland Labourers' Union, which took in the shed hands, in 1888. The two Queensland unions amalgamated in 1891 under the title of the Amalgamated Workers' Union of Queensland. The labourers in the other colonies (New South Wales and Victoria) were organised as a separate body in 1890, but became part of the Shearers' Union in 1894, the name being changed to the Australian Workers' Union. In 1904 the Queensland Amalgamated Workers' Union joined the Australian Workers' Union, and in 1907 branches were formed in Tasmania and Western Australia.

The foregoing list of unions established during this period is not exhaustive, but serves to show that the spirit of combination on the part of workers was general throughout the whole of the colonies. It may be seen also that during this period of prosperity the conditions were favourable for organisation, and that before the end of the period Trade Unionism had become firmly established.

(2) Trade Union Activities.

While the spirit of emulation no doubt had a considerable influence on the progress of unionism during this period, it was the knowledge that the combinations of

workers already in existence had generally secured some distinct advantage for the members of their organisations that led others to follow their example. During this period there were three principal objects which they had in view—the recognition by employers of the eight hours' day, increase of wages, and, in the case of those unions so affected, the abolition of competition by Chinese labour. With regard to the first of these, although some workers had succeeded in securing this recognition as early as the 'fifties, it was only in the case of those who were sufficiently strongly organised to demand it that it had been secured. Thus it was that those workers who did not enjoy the advantage of the eight hour day took the first step towards its realisation by combining in order to be in a better position to demand it. Even when demanded by organised unions, it was not always secured without invoking the strike method, and not always then. To-day, though the recognition of this ideal has been secured in a majority of callings, there are still many in which the hours of labour, fixed by wages tribunals, by factory legislation, and in callings not regulated by any tribunal, are in excess of eight per day. The recognition of the eight hour day was, as already stated, first secured in New South Wales and Victoria in 1856; in Queensland in 1858; in South Australia in 1873, and in Tasmania in 1874. It was not until 1896 that a similar recognition was secured in Western Australia. The importance attached to this principle of Trade Unionism in Australia may be gathered from the fact that in all the States one day is set apart as the anniversary of the first recognition of the principle. On that occasion a public holiday is declared, and the trades which enjoy the privilege parade in procession through the streets of the capital and large provincial cities. The celebration is generally continued in the form of a sports gathering at some public grounds, while there is usually an official luncheon or dinner at which leading officials of Trade Unions, parliamentarians and others deliver speeches reviewing the past or forecasting the future.

Those unions which have not yet received the advantage of the shorter working day have it still before them as one of the objects for which they are united. In some industries, notably the building trades and mining indus-

try, the 44-hour week has been granted. Many unions which in the early days of their organisation included as one of their objects the recognition of the eight hour day, and, having secured it, now look forward to and are working for a further limitation of the working day.

To the second question, that of increase in the rates of wages, even greater opposition was offered by the employers, and it was not until after serious dislocations of industry through strikes and lock-outs in many cases that the increases were conceded. A review of the most important of these industrial disputes follows the next sub-section.

(a) Chinese Competition.

With regard to the third of the questions which engaged the attention of Trade Unionists during this period, that of the employment of Chinese labour, the following is a brief account of the events in connection therewith. Chinese labourers, who had arrived in increasing numbers in the 'fifties, first began to arrive in Queensland in 1848 and were employed as shepherds. It was not until the gold rushes that their presence began to attract the attention of the workers, and it was in the mining industry that trouble first arose as the result of their competition. In Bendigo, Victoria, in 1855, and Lambing Flat, New South Wales, in 1861, serious disturbances arose from the attempts to expel them forcibly from the diggings. At the latter place the miners formed themselves into a Miners' Protective League. This was more of a political organisation than a Trade Union, but the programme outlined by it is of interest. The following were the reforms demanded by the League:—

“The expulsion of the Chinese; repeal of the gold duty; police protection; unlocking of public lands; promulgation of the Word of God throughout the mining districts; protection of native industries; representation of mining interests based on population.”

At both places mentioned the Governments quelled the disturbance for the time being. The Government of Victoria passed an Act as early as 1854, limiting the number of Chinese who could be brought into the colony

by boat to one for every ten tons of a vessel's burden. Amending Acts were passed in 1855 and in 1861 increasing the restrictions. As a result of the disturbances at Lambing Flat, and in fulfilment of a promise made by the Premier of the colony when he visited the district at the time of the disturbances, the New South Wales Government passed legislation identical with that in force in Victoria. These measures did not prevent the Chinese from landing in other colonies and travelling overland to the diggings in New South Wales and Victoria. At the 1861 census there were no less than 12,988 Chinese in New South Wales, and 24,742, or over 11 per cent. of the adult population, in Victoria. In 1873 there was a protracted strike of miners at Clunes, in Victoria. This arose, in the first place, through the miners refusing to work the Saturday afternoon shift. The employers thereupon filled their places as far as possible with Chinese, and it was in order better to meet the situation that the amalgamation of the various miners' unions was brought about.* Some two years afterwards there was considerable trouble in Queensland over the same question, and in 1878 the Seamen's Union of New South Wales went on strike against the introduction of Chinese on the boats of the Australian Steam Navigation Co. At a conference of the union and the company a settlement was arrived at.†

This matter of the competition of Chinese labour received considerable attention at the earlier Trade Union

*See page 28.

†The agreement arrived at is set out in the following memorandum taken from the Co-operator Eight-hour Souvenir, 1912:—"It has been this day arranged by the parties hereto representing respectively the A.S.N. Co. and the seamen, firemen, and wharf labourers on strike—

1st.—That from and after this date (2nd January, 1879) the seamen's strike to be at an end, all the men, so far as practicable to return to their respective positions, the details of such return to be arranged by the men.

2nd.—The Company to retain in their service not more than 180 Chinese, reducing the number to 130 within a period of three months from date.

3rd.—The wages and discharges of men, where such have become necessary, due up to the 10th November, to be paid by the Company in due course.

Signed for and on behalf of the seamen and firemen and their union—G. F. Poole, secretary; Wm. Collins, Treasurer; and on behalf of the Company by George A. Dibbs (afterwards Sir), Chairman."

Congresses, and doubtless, largely as the result of the action of the Parliamentary Committees of the various Trade and Labour Councils, coupled with the active hostility shown by members of Trade Unions, the colonies passed legislation of ever-increasing severity against the admission of Asiatics. It was not until after the Federation of the colonies, however, that this menace was adequately dealt with by the Commonwealth Government, on the lines of what is now known as the "White Australia" policy.

(b) Industrial Disputes.

It is of importance, in order to understand the development in Trade Unionism, to consider what were the causes of trouble between the unions and the employers, and this is most clearly indicated by a consideration of the industrial dislocations which occur. It would, of course, be impossible to review all such dislocations occurring during the period, but there were some of outstanding importance which it is necessary to consider in order to understand clearly the position of Trade Unionists at this time.

Mention has already been made of the formation of the Hunter River District Coal Miners' Mutual Protective Association, which was formed in 1861. This association evidently kept up some form of organisation, as in 1872 its members demanded an increase in wages and a reduction in the number of hours constituting a day's work. A settlement was arrived at provisionally, by the employers granting an increase in wages; both sides agreeing to leave over the question of hours. Some months later, the association decided that after 1st January, 1873, the members would only work ten hours a day. As a result of this decision they were locked out by the mine owners for several weeks. At the end of the month an agreement was arrived at, fixing the hours at ten and a half for the year 1873, and ten from the first of January, 1874. In the same year (1872) the Agricultural Implement Makers' Union of Victoria succeeded in securing a reduction of hours from ten to eight per day, but with a corresponding decrease in wages. The following year the union demanded an increase in wages and, upon the employers refusing to grant the

demand, they entered upon a strike which lasted two months. The employees were ultimately defeated, and the leaders of the men suffered in consequence of a resolution carried and acted upon by the employers not to employ any one of the men's executive for a period of three months. This led to the collapse of the union, and it was not re-organised until 1885.

In the latter part of the year 1873 there was an extensive strike of ironworkers in Sydney, as a result of which the employees in that industry secured the recognition of the eight hours' day. Before this strike it had been customary to have two breaks or intervals during the day, one for breakfast and the other for lunch. Shortly after the introduction of the eight hour day the employers re-arranged the working day so that only one break occurred. The employees considered this to be an attempt to undermine the eight hours' principle, and for nine weeks they refused to work on the system adopted by the employers. Eventually a settlement was arrived at: during the winter months one break only to be adopted, and during the summer months two breaks to be allowed.

In 1876 a strike occurred in Brisbane of the labourers engaged in the construction of a dry dock. The men demanded a reduction in the number of hours from nine to eight. The contractor was quite willing to grant the demand, but considered that before doing so Governmental recognition of the principle was indispensable. The Government, however, refused to take any steps to bring about such a recognition, and, further, refused to interfere with the rates of wages paid by the contractor. Ultimately, however, in spite of this refusal, the contractor granted the demand of the employees.

Probably the first strike of women workers was that of the tailoresses of Melbourne in 1882. In this strike the executive of the Trades Hall Council for the first time acted as a committee of finance and control during the strike.* The object of the employees was to secure more equitable rates of remuneration and better conditions of

*The policy of the Trades Hall Committee up to this time had been against interference in disputes between employers and employees, and the attitude it adopted in this case marks the change in character and policy of the representatives sitting on the Committee. See page 45.

labour. It was during the course of this strike, which lasted for a considerable time, that the attention of the public was directed to the sweating conditions obtaining in the industry. The employees were successful in securing both increased wages and better conditions, and indirectly in instigating the investigations which resulted in the appointment of the Sweating Commission, which did much useful work and whose recommendations led to more effective supervision of factories.* On the termination of the strike the Tailoresses' Union was formed, and was the first union of women workers in Victoria, and probably in Australia.

The boot trade dispute in Melbourne, during the latter part of 1884 and the early part of 1885, was of importance as showing the tendency at that time to adopt conciliation for the settlement of disputes, and also as showing that the employees were gradually perfecting their organisations, and making them more effective in the struggle for better conditions. With regard to the cause of the dispute, it would appear from the newspaper reports of the time that an agreement had been arrived at between the employers and the union that all work should be done in the factories, and that the system of giving out work to be done at home should be discontinued. In less than a month after this arrangement had been come to the employers repudiated it, and a number of them issued a manifesto to the effect that they would return to the system in force before the agreement. The Operatives' Union then decided to strike against those employers who had signed the manifesto, and as a result about 1400 men were thrown out of work. Proposals for a conference were made by the union after the strike had been

*The Commission appointed in 1883 reported the necessity for legislation for the regulation of factories and in particular pointed out the fact that men were compelled to toil for as many as 18 hours, and women 16 hours a day. It found the condition of out-workers to be very undesirable, and that the apprenticeship system was frequently used to obtain labour without remuneration, apprentices being engaged without payment and being dismissed upon asking for wages at the end of their time. The Factories Act, passed in 1884, while providing for the suppression of many of the evils in respect to accommodation and long hours, did not touch the two last-mentioned evils. In 1895 another Royal Commission sat, and as the result of the recommendations of its members, the Act of 1896 was passed which dealt with the matters previously untouched, and the system of regulation was further improved by the Act of 1900.

in force for some weeks. The employers agreed to the proposal and nominated nine of their number as representatives to the conference. The union also nominated nine, including their organiser, Mr. Trenwith. The employers objected to the inclusion of Mr. Trenwith, and gave as their reason that he was not a bona fide workman, and that he had publicly expressed himself as antagonistic to conciliation. The union refused to substitute any other member, and the strike continued. After three months, during which there was much bitter controversy in the press, a conference was arranged. The members of this conference were appointed by the Employers' Union (a union of employers from all industries, not simply those engaged in the bootmaking industry), and by the Trades Hall Council. The members of the conference were not directly connected with the industry. The terms of settlement which were arrived at, and which were ultimately accepted by both parties to the dispute, were as follow:—

1. That no officer should be entitled to have access to any manufactory during working hours, except with the consent of the manufacturer.

2. That all differences arising from time to time between employers and employees be in the first instance, as far as practicable, settled between themselves without any active interference on the part of the union; but that it be understood that the union reserves its right to take cognisance of, and action in respect of, any such settlement which, in its opinion, infringes any principle of the union.

3. That the manufacturers having expressed their willingness to waive their requirements of written discharges from former employers, this conference recommends that the union shall frame rules to deal with workmen belonging to their body who may be shown by their employers to have been dishonest or otherwise unworthy of membership.

4. That home labour should be provided as follows:—(a) Until 31st December, 1885, one-sixth of each class of the whole number of finishers and putters-up employed by any manufacturer may be employed in

work outside the factory; (b) the work to be so given out to be limited to such quantities as shall only enable each man to earn therefrom maximum wages of three pounds in each week; (c) each manufacturer to supply to the union, through his shop's president, the names and addresses of all outside workmen employed from time to time by him, and also when required to produce his books to show the amount of wages paid to such workmen or any of them; (d) on December 31st, 1885, or at any time thereafter, should the union so desire, outside work shall then, under permits, be issued to a board composed of an equal number of members to be appointed by the union and by the manufacturers respectively, and an independent chairman to be appointed by both bodies, it being understood that such permits shall issue where special circumstances in any applicant's case, such as family, personal or physical reasons, make it evident to the board that he would be placed relatively at a disadvantage in working inside a factory. This arrangement for permits to continue until December, 1886, or any time thereafter either party may terminate it by giving to the other party three months' previous notice in writing.*

It was also in the year 1884 that the Sydney Maritime Council was formed. This was a federation of the unions connected with the shipping industry. Soon after its federation the Seamen's Union came out on strike, and its officers called upon the wharf labourers and coal lumpers who were at work on the vessel about which the trouble arose to cease work. This demand was complied with, but when the matter was brought before the various unions at the conclusion of the strike the action of the Seamen's Union officials in giving this order without the authority of the unions to which these men belonged led to an estrangement which was never removed, and the Maritime Council ceased to be effective.

Mention has already been made of a case in which the

*Signed by J. M. Bruce, chairman, Bruce Smith, John Blyth, Archibald Currie, D. Whyte, J. Fergusson, A. Lyell (representing the employers); B. Douglas, D. Bennett, Amos Yewdall, H. Elmslie, J. H. Bromley, R. Miller, W. E. Murphy (representing the employees).—See History of Labour and Capital, Oceanic Publishing Co., Sydney and Melbourne, 1888.

members of the Tanners' and Beamsmen's Union of Victoria were sentenced to a term of imprisonment for leaving their employment to go on strike without giving the necessary notice. Another case in which members of a union suffered imprisonment as a result of their action in resorting to the strike method occurred in Sydney in 1884. The Operative Bakers of Sydney ceased work in order to enforce their demand for the recognition of the eight hour day, but some of the prominent officers of the union were locked up under the law in existence at that time, and the agitation ceased for the time being.*

Reference has already been made to the annual celebration on the anniversary of eight hours' day in various cities. It had been the custom for some years to allow as many as possible of the wharf labourers of Melbourne to join in these celebrations, and in the case of those who were compelled to work, to make them a special allowance in the form of extra pay for the day's work. On Eight Hours' Day in 1885 the employers refused the men the holiday, and, further, refused the usual allowance to those who were working. Out of these circumstances arose the establishment of the Wharf Labourers' Union on the 15th May, 1885. A clause in the rules adopted prohibited the members from striking until three months' notice had been given to the employers of their intention to do so.† At the first quarterly meeting of the union, held in September of the same year, however, it was decided to make certain demands for increased wages and better conditions, and in the event of their not being conceded on or before the conclusion of the three months' notice, the men would cease work. Several conferences were held during the interval, without avail, and on the 1st January, 1886, the members of the union ceased work. The strike lasted for eighteen days, when a basis was accepted for submitting the whole of the matters in dispute to arbitration. Following the procedure in the boot-makers' dispute, the arbitrators were selected by the Employers' Union and the Trades Hall Council, but with the difference that, in addition to an equal number of

*The Co-operator Eight Hour Souvenir, 1912.

†It is stated that this provision was inserted at the instance of the more cautious members who had experience of the failure of a previous strike.—"History of Labour and Capital," p. 181.

persons representing each of these bodies, an independent chairman was appointed, Professor Kernot, of the Melbourne University, acting in this capacity; and as a result of their deliberations they awarded the men increased wages and better conditions. It is stated that both the employers and the employees loyally abided by the award for a number of years.*

The proceedings in this case furnished probably the first instance of arbitration and of an arbitration award. The body, which sat for eight days, is referred to as the Board of Arbitration in various reports and press cuttings of the period. In view of the importance which this method of dealing with disputes, which occur between employer and employee, has assumed in the Commonwealth, it is fitting that this, the first arbitration award, should be put on permanent record.

“Wharf Labourers’ Strike.

We the undersigned, being the arbitrators under the deed of submission dated 28th January, 1886, to determine the general question of what rate of wages the wharf labourers are reasonably entitled to be paid, having regard to all circumstances affecting the same, do hereby make and publish the following as our award, as provided by the said deed:—

1. That eight hours should be considered as a day’s work, viz., from 7 a.m. to 5 p.m., two hours being allowed for meals at such time as may be agreed

*The men’s demands were:—

1. That eight hours shall be recognised as a day’s work, viz.:—
7 a.m. to 5 p.m., two hours being allowed for meals, at 10/- per day, or 1/3 per hour.

2. That eight hours shall be recognised as a night’s work, viz.:—
7 p.m. to 5 a.m., two hours being allowed for meals, 15/- per night, or 1/10½ per hour.

3. An increase in the price for discharging coal of two pence per ton during the day and three pence during the night.

4. All men engaged for work in the bay to be paid their railway fare and half-time wages from the time they leave the wharf or railway station until arrival at the ship about to be discharged, when full pay shall immediately commence.

5. That New Year’s Day, Good Friday, and Eight Hour Day be strict public holidays, but that the pay should be doubled if it be found necessary to work upon such days.

The employers offered the following compromise:—To recognise the eight hours’ principle and to pay overtime from 5 p.m. to 7 a.m. To pay one penny extra for the discharge of coal at the wharf. To concede the holidays and pay double time, as demanded.

between employers and employees; overtime to be paid after 5 p.m. and for work done during meal hours.

2. That for general cargo each of the first four hours of the day's work in any week to be paid at the rate of $1/3$ per hour; that each of the succeeding twelve hours of the day's work in the same employ during such week be paid at the rate of $1/1$ per hour; that each hour of the day's work in the same employ in the same week be paid at the rate of $1/-$ per hour; and that all overtime be paid at the rate of $1/6$ per hour.

3. That, except where work on general cargo is suspended from accident or bad weather, any labourer engaged at any time during the first three working hours of any day should be paid for not less than two hours of that day, and if engaged at any later part of the day for not less than one hour. Portions of any additional quarter of an hour to be paid for as full quarters of an hour.

4. That stevedores be paid by the ship owners.

5. That the rates paid for discharging coal be as follow: Large baskets, 9d. per ton; small baskets, $1/1$ per ton; bags, $1/5$ per ton; hand winching by small baskets, $1/3$ per ton, and bags $1/7$ per ton; with an increase of fifty per cent. on the above rates for overtime. Hourly wages to be paid at the rate of $1/2$ per hour during the day, and $1/9$ for overtime.

6. Ship owners to find steam winch, drivers, and all gear.

7. Ship owners to produce the pit certificates, also a quantity certificate signed on behalf of the firm showing quantities discharged from the ship by large and small baskets respectively. Stevedores to furnish a labour sheet of each ship.

8. All labourers specially ordered to proceed to the bay or wharf at specified times during the night to lighten ship or tranship cargo to be paid half-hourly money from the time they arrive until they commence work.

9. New Year's Day, Good Friday, Eight Hours' Day, and Christmas Day to be considered strict holidays, and, if work is required on either of such days or on Sundays, double time to be paid."

Signed by the chairman, W. C. Kernot, and members of the Board, 9th February, 1886.

Professor Kernot was presented with an illuminated address on behalf of the Employers' Union and the Trades Hall Council, expressive of the esteem and satisfaction of both bodies for his impartiality as chairman of the board.

During the year 1886 the recently formed Shearers' Union was engaged in a series of struggles with individual pastoralists and with the Pastoralists' Union. The conditions obtaining at this time are said to have warranted some action on the part of the shearers. The real trouble, however, arose from the desire on the part of the employers to establish what they termed "freedom of contract." They claimed the right to make their own terms with individual employees, and to engage whom they pleased; while the shearers, on the other hand, were endeavouring to secure recognition of the union and payment of the union scale of wages and shearing rates. It was during this strike that the Shearers' Union organised "strike camps," a method of industrial warfare which was, during other and later struggles, greatly extended. It was the custom, when any particular station owner refused to pay union rates, or engaged men who were not members of the union, to establish camps near the station, in which the union members lived, and from whence they conducted operations in their attempt to secure recognition of the union. Non-unionists were often forcibly removed from the station to these camps or waylaid on their journey to the station and detained. During the course of this strike many members of the union, both in New South Wales and Victoria, were sentenced to various terms of imprisonment for thus interfering with non-unionists and on other charges. The union claims that the strike was successful in securing higher shearing rates and better conditions.*

*History of Australian Workers' Union, W. G. Spence, M.P., Worker Trustee, Sydney and Melbourne, 1911.

(3) Recognition of Community of Interests.

While the questions of wages and hours were naturally of the greatest importance to the workers, and consequently played a great part in the events which led to the combination of workers in Trade Unions, they were by no means the only matters which came under their notice and received their consideration. Responsible government and manhood suffrage had by this time come into force in all the colonies except Western Australia, and no doubt the realisation of their power to influence legislation by their votes, led to a more earnest and intelligent interest, not only in matters which directly concerned them as members of Trade Unions, but also in matters of general national importance. It may also be said that the success which attended their organisation in Trade Unions led them to realise the benefits of combination and to recognise that as workers they had community of interests on many and varied matters. This led to the formation of central bodies in which the delegates from individual unions could meet with their fellow-delegates from other unions and discuss matters which vitally affected them as a corporate body of workers. It was, of course, in those centres of large populations that this phase of the movement was first manifested. In Melbourne the "Operatives' Board of Trade" was formed as early as 1856. This board consisted of representatives from the various unions connected with the building trades. The board was constituted to act as a board of advice to the unions in case of conflict with the employers, and had no power, or intention, to interfere in matters affecting the purely domestic affairs of the unions represented on it. It does not appear to have had much vitality, however, and ceased to exist in 1860. The Melbourne Trades Hall Committee was formed in 1856, for the purpose of securing a central meeting place for the various Trades Unions. It was not until 1859, however, that the grant of a site was secured from the Government and a building erected. The committee was for many years merely a committee of management, concerning itself solely with the care of the property, receiving rents from Trade Unions and other bodies using the rooms, and paying accounts for the necessary maintenance expenses and repairs. In the 'seventies a Trade and Labour Council was formed and became a

tenant of the Trades Hall Committee, but what was its constitution, or what measure of success it attained, it is impossible to discover. Some years later, in the early 'eighties, there was a good deal of discussion and divided opinion as to the wisdom of the Trades Hall Committee dealing with matters outside the management of the property, and finally the rules were altered to allow an extension of the powers of the committee, in order that it might deal with other matters of interest concerning the members of the Trade Unions represented thereon, and others, and to allow of representation to unions which were not tenants, on the payment of an affiliation fee. In 1888 the position of the "Trades Hall Council" (the new title adopted when the rules were altered) was stated to be that it was desirous of all unions of workers becoming affiliated with it. It claimed to be considered before any dispute reached an acute stage, to understand whether there was just ground for complaint and whether there was reasonable prospect of success, and, according as these conditions were present or absent, to advise as to the course to be pursued, and that its advice be acted upon before the assistance of other trades which formed the council be asked for. In the other colonies, and in other towns in Victoria, the Trades' and Labour Councils were from the commencement of their establishment accorded powers and privileges such as the Melbourne Trades Hall Council adopted in 1883. The Sydney Trades' and Labour Council was formed in 1871, the councils of Brisbane and Hobart in 1883, and Adelaide in 1884. It was not until 1892 that a similar body was formed in Western Australia.

In addition to the Trades' and Labour Councils there were also associations of workers in the same trade or calling at different places, amalgamated or federated together, in some cases having branches in two or more colonies. In addition there were groups of trades in the same industry, as, for example, in the building trades, the iron trades, and the shipping industry. Mention has already been made of such a federation in the Maritime Council of Sydney in 1884. In Melbourne, besides the Operatives' Board of Trade, previously referred to, the Building Trades' Unions later (in 1875) were again amalgamated under the name of the Associated Building Trades. In June of that year this body succeeded, as the

result of a petition to the Builders' and Contractors' Association, in securing an alteration in the system of payment of wages from fortnightly to weekly. This phase of Trade Unionism, however, made little development until a considerably later period.

The Trade Unions of this period were avowedly non-political. Their members were not connected with any one party, nor was there any political organisation in connection with the unions. Here again the English tradition was still paramount. It was soon realised, however, that the working classes had many things in common, and there were many social and political reforms needed for which they could unitedly agitate. This led to the formation of Workingmen's Political Associations in several of the colonies. Though quite apart from Trade Unionism, it is worthy of note that the leaders of that movement were also active in the political movement. As indicating the reforms claimed by the workers at that time, the following programme adopted by the Workingmen's Political Association of Melbourne is of interest. This programme was formulated at a public meeting of the association held in March, 1874, and is as follows:—

- (1) Reform of Upper House.
- (2) Protection.
- (3) Eight hours.
- (4) No assisted immigrants.
- (5) Land and Absentee Tax.
- (6) Mining on private property.
- (7) Abolition of newspaper postage.

It would be interesting to examine closely this programme, but it is beyond the purpose of the present treatise. Suffice it to say that these political organisations had no continuous existence, but were generally formed at some short time prior to a general election.

(4) Inter-Colonial Trade Union Congresses.

Probably the most important, as well as the most interesting, development of Trade Unionism of this period was the Inter-Colonial Trade Union Congress, several of which were held during the period under review. At these congresses the discussion disclosed, not only the reforms

advocated, but also the trend of the ideas which dominated the minds of the workers at that time. They are of sufficient interest to merit consideration of more than a casual nature. The first was held at Sydney in October, 1879, during the International Exhibition season at Sydney.* It was arranged by the Trades' and Labour Council of that city. It is stated in the preface to the Report of the Proceedings that, while satisfactory answers were received from Trade Unions in other States as to the desirability of holding such a congress, the result of the general depression in trade had materially weakened their available funds, and in consequence they declined to incur the expense of sending special delegates. They requested several members of local unions to represent them. This first congress, therefore, though designated intercolonial, could hardly claim so comprehensive a title. Nevertheless, it was certainly the forerunner of what in later years became a very important phase of Trade Union activity. Altogether eight of these congresses were held before the Federation of the Commonwealth. At the first there were thirty-nine delegates representing an aggregate of 11,087 members; at the second, which was held in Melbourne, sixty-nine delegates were present, who represented an approximate estimate of 33,700. All the States were represented with the exception of Western Australia and Tasmania. At the third congress, held in Sydney, ninety-nine delegates were present. All the States, with the exception of Western Australia, were represented. The report does not give any estimate of the membership of the unions represented, but estimates that the total membership of all unions in the colonies at that time was 50,000. At the fourth congress, held at Adelaide in 1886, there were seventy delegates, and again all the colonies, with the exception of Western Australia, were represented. The fifth congress was held at Brisbane in 1888, and there were sixty-four delegates. Again Western Australia was the only colony not represented. The sixth congress was held at Hobart in 1889, when fifty-eight delegates met from the same colonies as at the previous congress. The introduction to the Report of the Proceedings of this Congress points out that it was remarkable for three reasons:

*The suggestion of an Australasian Conference of Trades Unions had been made by the Adelaide Labour League earlier in the same year.

first, that it met in a colony in which the old Conspiracy Laws were still in existence, Trade Unions therefore being illegal combinations; second, because it was the first Trade Union Congress that had been honoured by the attendance of His Excellency the Governor of the colony, the Hon. Premier, the Mayor of the City, and a number of the members of the House of Legislature; third, because it was the first Trades' and Labour Union Congress ever held in Australia, all previous ones having been significant as Trades Union Congresses. The title of this congress was changed by resolution at the previous congress in order "to break notions that existed with regard to tradesmen occupying a position superior to labourers." The seventh congress, held at Ballarat in 1891, was the largest, most successful and most important of the Inter-Colonial Congresses. There were no less than one hundred and twenty-seven delegates present—twenty-six from New South Wales, seventy-seven from Victoria, eleven from South Australia, seven from Queensland, five from Tasmania, and one from New Zealand. At this congress the agenda paper was compiled by the committee of the Ballarat Trades' and Labour Council from recommendations received from the various unions to which invitations for the congress had been sent. There was an interval of seven years between this and the last Inter-Colonial Congress, which was held at Adelaide in September, 1898. Only thirty-one delegates attended, and of these twenty-four were South Australian delegates, while Victoria sent six and New South Wales one. This falling off is eloquent of the vicissitudes of the labour movement everywhere.

The following was the agenda paper submitted to the first congress, in 1879:—

Immigration, both Asiatic and otherwise.

The eight hour system—its extension and consolidation.

Legalisation of Trade Unions.

Encouragement of native industries.

The laws affecting the mercantile marine.

The propriety of holding an annual Inter-Colonial Trade Union Congress.

Factory and workshops regulation law.

Co-operation.

Education.

Land boilers' inspection.

Workmen's compensation for injuries sustained while following their employment and caused by negligence of others and through deficient appliances.

At the second congress, in addition to the foregoing subjects, which were again submitted for debate, the following were also considered:—

Amalgamation of Trade Unions.

Amendment of Masters and Servants Act.

Payment of members of Parliament.

Direct representation of labour.

Local self-government.

Mining on private property.

The subjects discussed at the third congress covered practically the same ground as the second. The additional matters discussed at the fourth congress were:—

Conciliation and arbitration.

Extension of the early closing movement.

Regulation of apprentices.

Property and Land Taxes.

At the fifth congress, which was held at Brisbane in 1888, there appeared on the agenda paper reforms of a socialistic character, and in the discussion there was revealed a change in the ideas and aspirations of the delegates. Among the reforms advocated, in addition to many of those previously submitted, were—

One man one vote.

Land nationalisation.

Technical education.

Competitive examinations for entrance to Civil Service.

At the sixth congress, in 1889, the following additional questions were discussed:—

Appointment of workmen inspectors under Factory and Workshops Acts.

Legalisation of compulsory Courts of Arbitration.

Insertion in all Government contracts of a clause providing for the payment of current rates of wages, and the adoption of the eight hour day.

Abolition of plural voting.

It was, however, at the seventh congress, held at Ballarat in 1891, soon after the close of the maritime strike, that the full significance of the trend of political unionism was revealed—what in later years has been referred to as the “new unionism.” The question of the political organisation of the working classes was discussed at considerable length. Old age pensions, abolition of the contractor in all Government and municipal work, the introduction of the Initiative and Referenda, better accommodation for rural workers, were the reforms advocated.

It may thus be seen that the subjects discussed by these periodical parliaments of labour cover an extensive field. Many of the reforms advocated have been secured in whole or in part. Among these may be mentioned amendments to the Masters and Servants Acts; Payment of Members of Parliament; Direct Representation of Labour; Restriction of Asiatic Immigration; Encouragement of Native Industries; Employers Liability Acts; Amendments to the Masters and Servants Acts; Payment of Trade Unions; Compulsory Arbitration; Abolition of Plural Voting; and Technical Education. Many of the reforms, on the other hand, have not been achieved to the full satisfaction of Trade Unionists. In the attainment of those reforms which have been secured, Trade Unions, and particularly the Central Delegate Councils and Parliamentary Committees of the Trade Union Congresses, have played no small part. The proceedings of the latter are of more than ordinary importance, not only so far as their proceedings are concerned, but also as to their inception and constitution.

(a) Trade Union Congress Parliamentary Committees.

It was at the second congress that the first Parliamentary Committee was appointed.* The resolution adopted on this occasion reads as follows:—

First:—That this congress desires to urge upon labour organisations in the various colonies to at once elect a Parliamentary Committee in their respec-

*The mover of the resolution, Mr. W. E. Murphy, secretary to the Congress and also to the Trades Hall Council of Melbourne, in pointing out the duties of the Parliament Committee, referred to the fact that such committees had been established for many years past in England, and had been successful in securing the passing of many measures for the amelioration of the working classes in England.

tive colonies, whose duties it shall be to assist in the passing through Parliament measures for the benefit of labour, and, where possible, endeavour to obtain for labour direct representation in Parliament.

Second.—That a committee of seven be at once selected by this congress to take the initiatory steps so far as Victoria is concerned.

In addition to the Parliamentary Committee appointed by congress to act for Victoria, in accordance with the second part of the resolution, the Sydney Trades' and Labour Council appointed such a committee in August of the same year. This committee met fortnightly until the 22nd January of the following year, when it was replaced by a newly appointed committee. This committee claimed to represent not only the Trade Unions affiliated with the Trades' and Labour Council, but all Trades Unions throughout New South Wales.*

Both the New South Wales and the Victorian committees presented reports to the third congress. The New South Wales committee reported having been mostly occupied with the preliminary arrangements for congress. The report of the Victorian committee, on the other hand, was a most voluminous one. It had had under consideration all the subjects dealt with at the preceding congress. One of its first acts was to communicate with the Government and private members who had charge of the Bills that were of interest to labour. Several Bills then before Parliament had received consideration, and suggestions had been made as to alterations necessary in order that they should meet with the approval of Trade Unionists.†

*The report of the committee, printed in the Third Congress Report, states:—"It was thought advisable to make the Committee, if possible, partake of a more representative character, than simply a Committee of the Trades and Labour Council. It was resolved to invite the attendance of members of trade organisations, not affiliated to the Council. Several societies responded, and sent representatives, who gave great assistance to the Committee in the selection of subjects proposed to be submitted for the consideration of Congress."

†For instance the report states:—"The Employers' Liability Bill, which had frequently been introduced by the Hon. H. J. Wrixon, engaged the attention of the Committee, and Mr. Wrixon cordially availed himself of the assistance of the Committee. Several communications and consultations having taken place . . . the Bill was considerably changed in its character and reintroduced on 25th June, 1884, but was afterwards shelved."

Among other duties, the committee had carefully considered the claims of certain candidates for Parliament who sought the support of Trade Unionists, and made recommendations that two of those candidates should receive the support of the Trade Unionists in the electorates for which they had been nominated for the ensuing election.

The method of selecting Parliamentary Committees came under consideration again at the third congress, and it was finally resolved, after much discussion, in order better to carry out the democratic principles, to alter the method of selection. Instead of the committees being selected by the 'Trades' and Labour Councils of the capital cities of the colonies, it was suggested that all labour organisations in each colony should combine to make the selection, and that a conference should be held in each of the colonies for that purpose.*

At the fourth congress reports were received from the Parliamentary Committees of New South Wales, Victoria, Queensland, South Australia and Tasmania. As at the previous congress, the reports indicate that in New South Wales and Victoria the committees had taken a very active part in matters of interest to labour, particularly in the matter of proposing legislation or recommending alteration or amendment to Bills during their passage through Parliament. Another matter which received their attention was the prevention and settlement of industrial disputes.†

The only colony which supplied a written report at this congress was South Australia, the rest of the reports being merely verbal impressions given by some member of the committee. The report of the Tasmanian delegate stated that every endeavour had been made to extend the franchise. They had compelled the abolition of the Immigration Board, so that no State-aided immigrants were now entering Tasmania. A recommendation was made by

*Later reports show that the method of selection agreed upon was not carried out, and that the Parliamentary Committees at all the Congresses were apparently elected by Trades and Labour Councils.

†"In connection with the great Lambton strike the Council had recommended the basis of arbitration four months before it was accepted. If their proposals had been accepted by the miners, who had been a little led astray, they would have been at work four months sooner than they were."—P. 7 Fourth Congress Report, 1886.

the congress that in future written reports should be submitted.

At the fifth congress written reports were submitted by all the colonies represented. They were, however, stated to be the reports of the Parliamentary Committees of the 'Trades' and Labour Councils, thus indicating the absence of any attempt to secure further representation of the Trade Unions not affiliated to the Central Councils. The reports of all the committees, with the exception of that from Victoria, recorded proceedings much on the lines of previous years. The report of the Victorian committee stated that no meeting had been held since the last congress, owing to the Trades Hall Council being in a partially disorganised state, in consequence of a serious dispute between the trustees of the land on which the Trades Hall is erected and the council as to which should be the managing body of the institution; but that the council itself had undertaken the function formerly carried out by the Parliamentary Committee. The report is interesting, however, as showing the attitude of the Trade Unionists of that time to conciliation in industrial disputes. The following extract from the report is somewhat long, but is of sufficient interest to warrant quotation:—

“Since the meeting of the Adelaide congress an important step has been taken by the council and the Employers' Union, by the formation of a Board of Conciliation to which labour disputes may be referred, and to whose decisions, without having the force of law, both parties would conform. This board has now been formally constituted, and, at the time this report is being prepared, is investigating certain demands made by the Ironworkers' Assistants' Union, and resisted by the employers in the iron trade. The award of the board is being eagerly and anxiously waited for, as it may affect to a considerable extent, not only the existence of the board itself, but also the future relations between capital and labour.”—
Report of the Fifth Congress, p. 9.

The report closes by stating that the disagreement as to the management had been satisfactorily settled, and that a new code of rules for the constitution of the council had been adopted. Under this constitution the executive of the council would perform the duties formerly under-

taken by the Parliamentary Committee. In South Australia an election had taken place in the interval between the fourth and fifth congresses, and the report of the Parliamentary Committee stated that the Trades' and Labour Council, for the first time in its history, took an active part in it. The Parliamentary Committee met and drew up a political platform. This is referred to at greater length in a later section.

With regard to future Parliamentary Committees, this congress resolved "that the Trades' and Labour Council of each colony be empowered to appoint their own Parliamentary Committee to carry out the resolutions passed at the congress, and that such committee bring up reports at the next congress."

Again all the colonies represented at the sixth congress presented written reports. There were two reports from Victoria, one from the Trades' and Labour Council of Melbourne, and the others from a similar body at Ballarat. They show that the committees were keenly alive to the welfare of the Trade Unions and of the working classes generally, and used whatever degree of influence and power they possessed in initiating and remodelling industrial legislation, as well as other legislation affecting the interests of the workers generally. In addition, they were ever ready to render assistance to the unions in their efforts to secure, both by peaceful means and by strikes, more favourable conditions of labour and better wages.

The South Australian report devotes considerable attention to the attempt made by the committee to form a Board of Conciliation. The attempt, it is stated, was unsuccessful through circumstances of a purely local nature. Reference is made to a strike in the "Register" newspaper office, and the proposal "to start a new daily and evening paper on democratic lines, with the double object of providing work for the men out on strike and of establishing once and for all a paper that will fearlessly espouse our cause when our cause is a just one."

The seventh was the last of the Inter-Colonial Congresses at which reports of the Parliamentary Committees were presented. On this occasion reports were received from each of the Trades' and Labour Councils reporting at the previous Congress, with the exception of that at Ballarat. In addition, one was received from the Broken

Hill council, which, at the time the congress was held, had been in existence a little less than a year. As in similar reports at previous congresses, information was given as to the activity of the committees in connection with legislation and with the formation and strengthening of Trade Unions.*

As previously mentioned, the attendance at the eighth congress was practically confined to the delegates from South Australia, and no reports were presented by Parliamentary Committees.

There can be no doubt that these committees did much to preserve the continuity of the congresses. During the interval that elapsed between them they were the means of keeping before the unions, and before parliamentarians, the ideals of Trade Unionism as disclosed by the discussions and resolutions of congress. It is also undoubtedly true that, though they were able to secure but meagre success in the matter of direct representation of labour in the Parliaments of the colonies, they succeeded, and that materially, in influencing the course of legislation. The passing of such measures as the Amendments of Factory and Workshops Acts, Electoral Reform, Employers' Liability, Trade Union Legalisation, Chinese Restriction Acts, Payment of Members, etc., etc., were hastened at any rate by the agitations engineered by these committees. That they were successful in opposing enactments which they considered to be detrimental to the interests of those they represented is also true.

(5) Legalisation of Trade Unions.

The period from 1872 to 1889 was one in which many measures affecting members of Trade Unions, both as such and as members of the general community, were placed upon the Statute Books of all the colonies. While all had some effect upon the growth and development of Trade Unions, some concerned that growth and development most closely. Perhaps the most important of the legislation of this period was that which affected the legalisation of Trade Unions, Acts for this purpose being passed in all the colonies, except Western Australia, during the period under review. In order to give a consecutive record particulars are included, in the fol-

*Important matters dealt with by the Parliamentary Committees at this Congress are referred to in the next section.

lowing account, of relevant legislation in that colony, even though it relates to a somewhat later period of the history of Trade Unionism.

The position of Trade Unions in Australia prior to the passing of acts specifically dealing with their legalisation appears to have been that they were legally in the position of the English unions after the repeal of the Combination Acts of 1799 and 1800, which took place in 1824 and 1825, and prior to the passing of the Trade Union Acts and Criminal Law Amendment Acts of 1871. As already pointed out in the introduction, the Act of 1824 removed all criminal liability of combination for the increase of wages or alterations in the hours of work, and even apparently legalised violence and intimidation. The 1825 Act left the immunity from criminal liability, but created the two new offences of molesting and obstructing. The right of collective bargaining was for the first time established. The Trades Union Act of 1871, after many years of adverse judicial decisions, gave protection to the funds of Trade Unions, and provided that the purposes of any Trade Union should not be deemed unlawful by reason merely that they were in restraint of trade. Coupled with this Act, however, was a Criminal Law Amendment Act, which visited with severe penalties picketing, intimidation, molesting, or watching or besetting.

Thus it was that, while Trade Unionism in Australia never suffered disabilities or persecutions such as fell to the lot of similar bodies in England during the early years of the nineteenth century, they were, for a number of years, carried on without the protection given to the English unions by the legislation of 1871, 1875, and 1876, and which, among other things, gave protection to the funds of Trade Unions, and made provision for the prosecution of defalcating officers.

The first of the colonies to pass such legislation was South Australia. A Trade Union Act, based on the English Act of 1871, was introduced into Parliament in 1876. The Attorney-General, in introducing the measure, said that he had been waited upon by a deputation of Trade Unionists asking that they might be put on the same footing as the English societies.* He stated that the

*See South Australian Hansard, 1876, p. 897.

object of the Bill was to provide that Trade Unions might be registered, and that, when registered, their funds should be protected, and that they should have control over their officers. It was also provided that no member of a Trade Union should be liable to prosecution for conspiracy. He also referred to the fact that under existing laws Trade Unions were illegal, and if they were to be recognised at all, they should be recognised by the law. The proposed Act would not allow the Court to enforce agreements under the rules of the society, but the enforcement of the rules would depend upon the consent of the members themselves. The Bill was almost a word for word copy of the English Act of 1871. In 1878 the Attorney-General, in introducing a Conspiracy Act, said that in the Masters and Servants Act all the provisions had reference to disputes of a civil nature, and it was felt that it would be better to have the penal clauses relating to breaches of contract, damage of property and conspiring to do illegal acts included in a separate Act. The object of the Act under consideration was to provide the means of punishing men guilty of these offences.

In New South Wales an Act to amend the law relating to Trade Unions was passed in December, 1881. During the debate on the second reading it was pointed out that, so far as the colony was concerned, Trade Unions were under the English laws of 1824 and 1825. The more recent measures passed in England did not apply to the colony. Only during the previous few months, it was stated, an officer of one of the unions was prosecuted for embezzling the union's funds; but the Attorney-General, knowing that the English Act of 1871 and 1876 did not apply here, declined to file a bill, and the union was left without redress. The Bill provided, first, that combination in Trade Unions is not criminal; second, that Trade Unions are not unlawful for civil purposes. A labour member stated during the debate that some five or eight years previously he had introduced a measure intended to give Trade Unions the right to protect their funds against misappropriation and embezzlement, and that, he maintained, was all that Trade Unionists of the colony required, and all they asked for, and that those who proposed to give them more were not acting as the friends of the Trade Unions of the colonies. He further stated that the whole plan of the Bill for legalisation was not in the interests

of the unionists themselves, but rather in the interests of those who wished to keep a strict eye upon them. Notwithstanding this criticism from one of the representatives of the Trade Unions, the Bill was passed and became law. There does not appear to have been any legislation similar to the Conspiracy and Protection of Property Act of 1875.

The Queensland Trade Union Act of 1886 is based entirely on the English Act of 1871. No legislation on the lines of the English Act of 1875 appears to have been enacted in this colony.

In Victoria a Trade Union Bill was introduced in the Legislative Assembly in 1884. The Minister, in introducing it, said it was practically and almost entirely a transcript of the English Act of 1871 relating to Trade Unions, and had already been passed by that House,* but had been rejected on both occasions by the Legislative Council. He went on to say that the members of the Trade Unions in the colonies felt it to be a great hardship that they had hitherto been refused privileges, in regard to the management of their affairs, which were enjoyed by their brothers in England. Trade Unionists in Victoria had no standing, and were liable to be proceeded against under the common law for conspiracy for many of their acts. The Bill proposed to legalise Trade Unions, enable them to hold property, give them control over their officers, and place them in the position, legally, which they had held practically for some years. In the Legislative Council the Bill was altered by striking out clause 3, which read as follows:—

“The purpose of a Trade Union shall not by reason merely that they are in restraint of trade be deemed to be unlawful, so as to render any member of such Trade Union liable to criminal prosecution for conspiracy or otherwise.”

In place of this clause a new one was added as follows:—

“Nothing in this Act shall be construed to affect any rule of common law or any statute which creates or punishes any offence.”

Many of the members of the Legislative Assembly protested against the amendment made by the Upper House,

*In 1882 and in 1883.

but the Government succeeded in securing its enactment, though agreeing that it was not entirely satisfactory. It was received by Trade Unionists with indignation, no unions registering under it. In 1886 a Trade Union Amendment Act was introduced in the Legislative Assembly. Its purpose was simply to bring the 1884 Act back to the position and form in which it stood before the amendment by the Upper House when last before it. When this amending Bill, after passing through the Lower House, reached the Council, the proposer of the 1884 amendment stated that the omission of the words "or otherwise" from the clause as drafted in 1884 made a very considerable difference. What the Council was now asked to agree to was merely that the circumstance of a person being a member of a Trade Union shall not, in the absence of any other reason, be sufficient to render him liable to prosecution for conspiracy. This amended Bill was passed by the Council without further amendment.

The second part of the Employers and Employees Act of 1891 (South Australia) is almost entirely a copy of the English Conspiracy and Protection of Property Act of 1875.

In Tasmania the legalisation of Trade Unions was provided for in 1889. In that year Acts 27 and 28 were passed which approximately correspond to the Trade Union Act of 1871 and the Conspiracy and Protection of Property Act of 1875 of England. The Premier of the colony, in moving the second reading of the Criminal Law Amendment Act, No. 28, said that, when the charter of justice was granted to the colony of 1828, all the laws in force in England were made applicable to the Australian colonies. The old Conspiracy Laws of the days of Queen Bess were therefore applicable at present in the colony, though long inoperative in England.

In Western Australia legislation on the lines of the English Act of 1875 preceded enactment on the lines of the 1871 Trade Union Act. In 1900 the Conspiracy and Protection of Property Act was passed. The Minister, in introducing the Act, said that doubts had arisen as to whether old statutes in force long ago in the old country, with regard to combinations of workmen are in force in this colony, and these statutes provide for serious consequences under

them. The law of England had undergone a considerable amount of change, the result being that we had the law of England as it existed a considerable time ago without the advantages of the amendments that the Parliament of the old country had seen fit to graft on to its legislation. "In order that a person may belong to a Trade Union or an organisation of that kind, and that he may know the responsibilities he incurs, I am submitting this Bill for the consideration of the House."

In 1902 a further Act was passed, based upon the English Trade Union Act of 1871. This Act was passed in order that Trade Unions could be legally registered under the provisions of the Conciliation and Arbitration Act, which had shortly before become law.

(6) Payment of Members of Parliament.

Payment of members of Parliament was one of the subjects discussed at the second Trade Union Congress, when the following resolution was passed:—

"That this Congress is of the opinion that to obtain a better representation of the working classes in Parliament, every effort should be made to secure payment of members in those colonies that have not already adopted the principle."*

The members of the congress were not unanimous on the question, the opposition to the proposal coming from Victorian delegates, some of whom stated that it had not helped to secure labour representation in that colony. A suggestion was made that the proposal should only apply to members "who were not wealthy squatters or merchants." The resolution, however, received the support of all but a very small minority.

A similar resolution was moved at the third congress and again met with opposition, on the same lines, from several of the Victorian delegates. It was carried by an overwhelming majority.

At the fourth congress the consideration of this question was taken along with that of direct representation.

*Payment of members was already in force in Victoria, where it was adopted in 1870. In Queensland members had received an allowance from 1875.

The resolution which was adopted, with only one dissentient, again a Victorian delegate, reads as follows:—

“That in the opinion of this congress it is desirable that there should be (1) direct representation of labour in Parliament; (2) payment of members.”

The question was not brought forward at any subsequent congress, probably for the reason that provision had already been made for payment of members of Parliament, or that there was reasonable hope that such provision would be made in the near future. Members were paid in Victoria from 1870; in Queensland from 1875; in South Australia from 1887; in New South Wales from 1889; in Tasmania from 1890; and in Western Australia from 1900. In all the Lower Houses of the States and Commonwealth, and in the Senate of the Commonwealth Parliament and the Upper Houses of South Australia, Western Australia and Tasmania, members receive payment for their services.

(7) Direct Representation of Labour in Parliament.

The question of representation by labour members in Parliament was brought prominently before the unions during the period under review. At most of the congresses resolutions affirming the desirability of securing such representation were passed. There were several isolated cases in which working men had been elected to Parliament, but it was not until a somewhat later period that, under the direction of the political movement of the Labour Party, progress was made in the election of Labour representatives to Parliament. In the case of those members who could be classed as representative of Labour, few were supported by any association of workers. It is said of Charles Jardine Don, who was in the Victorian Parliament during the 'fifties, that he was obliged to work at his trade during the day for the support of his family, and attend to his parliamentary duties at night. Probably the first member to receive the financial support of Trade Unionists was Mr. Angus Cameron, who was elected to the New South Wales Parliament in 1875. His election expenses, as well as an allowance after his election, were paid from funds contributed by various unions connected with the Trades' and Labour

Council. In 1876 the Trade Unionists who were responsible for his return were dissatisfied with his votes in Parliament. In March of that year a preliminary meeting of the working men of the constituency for which he sat was held, to consider his conduct in pairing with a Mr. Phelps, on the occasion of the second reading of the Bill to amend the Public Schools Act of 1876. A few days later a public meeting was held, to which Mr. Cameron was invited, but he did not attend. A resolution was passed to the effect that he no longer retained the confidence of those who elected him to Parliament. On the first of the following month Mr. Cameron arranged a public meeting, at which he gave a lengthy explanation of his action which had been criticised, from which it appears that there was some misunderstanding with regard to the whereabouts of Mr. Phelps. Mr. Cameron's critics said it was impossible for Mr. Phelps to be present to vote, as he was on his way to America. Mr. Cameron, on the other hand, maintained that he had been informed that he was in Melbourne, and that unless a pair was arranged he would return and vote. Mr. Cameron stated that in future he would not accept the pay of the working classes, as they were continually criticising his actions and wanted to take away his freedom.

During the 'eighties there were several other workingmen members of Parliament in the other colonies, but their number was small, and consequently their influence upon the Parliaments in which they sat was not considerable. It was not until some years later, after the rise of the political Labour Party, that the Labour members became sufficiently numerous to make their influence felt.*

(8) Federation and Amalgamation.

The need for closer organisation of Trade Unions has long been recognised, but up to the present the Trade Union movement in Australia has been unable to devise a workable scheme for the complete federation or amalgamation of all the unions throughout the Commonwealth. Mention has already been made of the Operatives' Board of Trade established in Melbourne in 1856, and the Maritime Council of Sydney in 1884, neither of which was effective in fulfilling the purpose for which it was created.

*See p. 150 hereinafter.

The establishment of Trades' and Labour Councils in each colony was, of course, a loose federation of the constituent unions, and, further, it is no doubt true that in the case of the miners, shearers, iron trades and typographical unions some measure of federation or amalgamation had been secured at an early stage in the history of Trade Unions in Australia. Nevertheless amalgamation or federation of unions in the different colonies was comparatively rare, and little was accomplished in this direction until after the Federation of the colonies into one Commonwealth. The effect of industrial legislation upon this question will be considered at a later stage. But if little progress was made, it was not for lack of recognition that the need existed. At each congress, after the first, the federation of Trade Unions was one of the subjects under consideration, and various schemes for carrying it out were suggested and agreed to by the representatives of the unions gathered at these congresses. They all failed to materialise, owing largely to the apathy of the individual unions. It is true that the scheme prepared by the Queensland Trades' and Labour Council in 1889 was adopted in that colony in the same year, but it was not until several years later that it was adopted by any other colony. It will be more convenient to consider this scheme, as well as those agreed to by previous congresses along with the schemes adopted at the 1891 and 1898 congresses.

(9) The Advent of "New Unionism."

Before passing on to a consideration of the next period, it should be observed that it was at the 1888 and 1889 congresses that the presence of tendencies of a more or less socialistic character were revealed. Some of the delegates present at these congresses avowed themselves Socialists. Nationalisation of land was discussed and unanimously approved. This subject had been introduced at the third congress (1885), but placed last on the agenda in order to make room for what were considered to be more important matters, and it was not reached. Neither was it on the agenda of the fourth congress. At the fifth congress, that of 1888, the resolution on this subject, moved by one of the Queens-

land delegates and unanimously agreed to, was as follows:—

“That in the opinion of this congress, as a simple yet sovereign remedy which will raise wages, increase and give remunerative employment, abolish poverty, extirpate pauperism, lessen crime, elevate moral tastes and intelligence, purify government, and carry civilisation to a yet nobler height, is to abolish all taxation save that on land values.”

The resolution certainly is not wanting in optimism as to the benefits which would follow such a scheme of taxation as the mover advocated, and which was unanimously endorsed by the congress. One of the supporters of the resolution stated that he favoured the system formulated by Herbert Spencer, which provided that, at the end of every thirty years, the holding of land should be put up for competition, and that the previous tenant should be compensated for his improvements by the incoming tenant. Other speakers were more definite in their advocacy of the nationalisation of land, and claimed that, if it was carried out, the Government would be able to abolish all Customs and other duties.

(10) Summary of the Period.

The period 1870 to 1889 was one of great importance in the development of Trade Unionism in Australia. It is not claimed that it has been as fully dealt with as its importance warrants, but the outstanding features in that development have been outlined. At the end of the period the movement had become firmly established throughout the colonies, not only in the cities and other densely populated areas, but amongst the great mass of workers engaged in the primary industries of the continent. It was during this period also that Trade Unionists departed from their policy of comparative isolation and came to a full realisation of their inter-dependence upon each other. This recognition of community of interests led to the formation of central delegate bodies in the various colonies, and to the holding of Intercolonial Congresses. The legalisation of Trade Unions gave them that freedom of action necessary for their development, while the payment of members of Parliament opened up the way for direct

representation by members in sympathy with the ideals of unionism, and of men conversant, from a practical experience, with the aims and objects of Trade Unionism. The favourable economic conditions of the period created an atmosphere in which development was fostered. During the next decade the movement had to pass through troublous times, when, owing to the financial collapse and the consequent depression of industry, the struggle to maintain the advantages they had secured was most acute. How they weathered this period will be considered in the next section.

V.—THE PERIOD 1890 TO 1900.

(1) Introduction.

The year 1890 commenced a period of severe industrial depression. Various reasons have been given as to the cause of this depression. By some it has been claimed that the bellicose attitude of the Trade Unions was in a measure responsible. This cannot be borne out by facts.* Again it is claimed that the collapse of speculation consequent on the decline in value of real estate, the completion of several large railway and tramway contracts, and the reduction in loan expenditure led to the great increase in unemployment. It is certainly true that, following a period of stupendous expenditure of loan money, in the construction of public works, the end of the 'eighties and the early years of the 'nineties witnessed a great shrinkage in the amounts expended on such works. It is probable, however, that the causes were not merely local but world wide, as the early 'nineties were prolific of social disturbances, particularly in the British Empire. Insubordination in the army and navy were rife. The police, postmen, and telegraph operators and railway employees were either on strike or threatening. New Zealand was in a state of political and industrial turmoil. Whatever may have been the reason, its results were of an acute nature. Not only was employment difficult to obtain, but the employers, influenced doubtless by the fact

*Mr. T. A. Cogan, in his book, "A Statistical Account of Australia and New Zealand, 1902-1903," says:—"It has been attempted in some quarters to fix upon the labourers' unions the responsibility for the events of that year (the financial collapse of 1893). When it is remembered that the country was entirely over capitalised, that land values had risen exorbitantly in the principal cities, and that the banks and financial institutions were largely concerned in maintaining the position of speculators and were themselves, contrary to the spirit of the law and of their charters, either as mortgagees or directly in possession of large squattages and landed properties in the cities and towns, it is easy to conceive that if the working classes had obediently acquiesced in all the demands for a reduction of wages the crisis would still have happened."

that there was an abundant supply of surplus labour, were, in many instances, endeavouring to secure a reduction of the wages paid to their employees, and a reversal to the conditions of employment which obtained prior to the period of industrial activity recorded in the preceding section. The Trade Unions were in no mood to concede these points without resistance. They were stronger than at any other period of their history, and had succeeded in securing many advantages in the way of increased wages and better conditions in spite of keen opposition. They did not immediately realise the immense disadvantage under which they were fighting in the face of reduced production and curtailment of manufacturing and other industries. Moreover, the presence of large numbers of unemployed were a menace which they failed to adequately recognise.*

In the early part of the year 1890 there were strikes in all the colonies. The pastoralists of Queensland, early in the year, considered the time opportune for making an attempt to secure what they termed "freedom of contract." By this they meant the right to engage non-unionists and to make arrangements as to the rates of wages, etc., independently of the rates agreed upon by Trade Unions. The shearers, on the other hand, were fighting for the recognition of their union, and the payment of rates of wages specified by them. The shearers refused to accept agreements at any other than union rates. The pastoralists then endeavoured to engage non-unionists to shear their flocks, and in many cases were successful in doing so. The Australian Labour Federation, which had been formed in Queensland in the previous year, took up the case of the shearers and called upon the Wharf Labourers' and Seamen's Unions, which were affiliated with the Federation, to refuse to handle non-union shorn wool. As a result of this action several steamers were held up, and a conference of the ship owners and the executive of the Australian Labour Federation was held. This conference was successful in securing a settlement of the dispute. The pastoralists

*At this time no statistics were collected to show the number of workers unemployed, but it is safe to say that production decreased to a very large extent, thus causing unemployment, while the press of that period indicates that unemployment was greater than for many years previous.

had to abandon their claim for freedom of contract for the time being, and shearing proceeded. The settlement was only of a temporary nature, however, and it was not long before the struggle was renewed. It would be impossible to give an account of all the industrial disputes occurring about this time. They were all, however, overshadowed by the Maritime Strike, which commenced in August, 1890.

(2) The Maritime and Other Strikes.

It is almost an impossibility to apportion adequately the responsibility for the commencement and continuance of this disastrous upheaval. Whilst making all allowance for the inability of the leaders of the Trade Unions to judge dispassionately the conduct of the employers and of the press, it must be admitted that once the struggle had started the employers evinced a determination to fight the matter out to the bitter end, and for a considerable time refused all offers of mediation. One is led to the conclusion that they recognised the growing power of the unions to dictate terms, and considered the time opportune to join issue with organised labour as to the exercise of this power. The story of the Maritime Strike has been recorded by several writers, but generally from the point of view of one or other of the parties most vitally concerned. It must be admitted that in many respects it is impossible to reconcile the various conclusions. As to the main facts, of course, it is possible to arrive at a fairly accurate statement. As to the motives underlying the actions of the parties to the dispute it is only possible to surmise. At that time, with the exception of the "Worker," which had just commenced publication as a monthly, there was no Labour Press, and the accounts as furnished by newspaper reports are, to a certain extent at any rate, biassed in favour of the employers. On the other hand, the published statements of the Committee of Finance and Control, appointed by the Trades and Labour Councils of Sydney and Melbourne, naturally make out the best possible case for the class they represent. Briefly, the story of the strike and of the events leading up to it, and those which occurred during its course, were as

follows:—During the winter months trade had been very bad, and unemployment rife. Deputations of the workers waited upon the Government asking for relief work, but without much success. In Victoria, particularly, they seem to have received but scant sympathy from those in authority. The Minister of Public Works, when requested by a deputation to provide relief works, replied that this question of the unemployed was a perennial phenomenon, and that there was plenty of work in the country if they cared to accept it. He further denounced the leaders of the men as “noisy and boisterous agitators who lead innocent men astray.”*

The following months brought little change in the position, and when the struggle came there was a fairly large surplus of unemployed labour already on the market, even before the strike threw larger numbers out of work. Whatever view may be taken as to the responsibility of the Trade Unions for instigating the strike, they could not have chosen a worse time. Naturally, when large numbers of workers are available who have been without employment for a considerable time, and have apparently little hope of procuring it, the chances of success in the event of a strike are far more remote than during a period of industrial prosperity, when workers are in full work and earning good money. It certainly speaks well for the loyalty of the workers to the general cause of labour that, in spite of the conditions obtaining, they contributed so liberally to the strike fund. The original cause of the strike, which commenced in Melbourne in August, 1890, was the decision of the Mercantile Marine Officers' Association to affiliate with the Trades Hall Council in Melbourne. These officers had for some time been discontented with their rate of pay and conditions of employment, and, in order to be better able to demand amelioration of their lot, had formed their association, which was a federation of all officers throughout Australia. On the completion of this organisation they submitted statements of their grievances to the ship owners from time to time, and demanded increased salaries and reduction in the hours of duty. These demands were disregarded by the ship owners

*Page 9 Report of Committee of Finance and Control, Maritime Strike, A. W. Mills and Co., Melbourne, 1891.

until the affiliation of the association with the Trades Hall Council. The ship owners then intimated to the officers that, while certain concessions as to wages might be granted and the question of hours also be favourably considered, the affiliation to the Trades Hall Council would preclude any settlement of the questions in dispute. The ground upon which they took this attitude was that it was not in the best interests of discipline that the officers should be connected with a body on which were also representatives of the employees, who were under their authority when at sea. The attitude of the Trades Hall Council was that, as the ship owners were constituents of a body known as the Employers' Union of Australasia, and as the latter body was, like the Trades Hall Council, a representative body, affiliation with either could not be disputed from a reasonable point of view.

In Sydney the events leading up to the strike there were somewhat different, and preceded by a few days the course of events in Melbourne. The trouble of the shearers with reference to the question of non-union labour, of which mention has already been made, and which had been temporarily settled in Queensland, was at that time unsettled in New South Wales. On 12th August the president of the Shearers' Union met the representatives of the Maritime Unions, when it was decided that wool shorn by non-union labour would not be handled by the Wharf Labourers' Union members, and every maritime union in New South Wales was pledged to support a general boycott of such wool. During this conference a resolution was carried inviting the secretary of the Maritime Officers' Association to take part in the deliberations, and thus lend their association's support to the organised boycott.

From the date of the commencement of the strike to the day it was declared off a little over two months elapsed. During that time the tension was extreme. Every day brought forth some new phase of the fight, and industry was paralysed. In the cities of Sydney and Melbourne committees were appointed to control and finance the strike, and in addition an inter-colonial

conference of Trade Union delegates sat almost continuously in Sydney. From the beginning of the strike the almost unanimous support of trade unionists was given to the unions most directly concerned—the maritime unions. As the vessels came into the various ports, the officers and seamen left their employment. The ship owners endeavoured to man their vessels with non-union labour, and to a certain extent were successful. In both New South Wales and Victoria many attempts were made to secure conferences, with a view to arriving at a settlement of the trouble, but without success. Funds for the support of those who had left their employment were contributed by those unionists who were still at work, by the general public, and by sympathisers in England. The New South Wales Labour Defence and Control Committee received and administered over £37,000, of which nearly £29,000 was contributed by levies on trades unionists, while over £4000 was received from England and £4500 from the public of New South Wales. In Victoria the total amount received by the Committee of Finance and Control was over £35,000. The committees of the two colonies, as well as the inter-colonial conference, considered many schemes during the course of the strike, among which was one for the purchase of steamships. One of the members of the Melbourne committee was sent to Sydney with full power to conclude all arrangements for the purchase of a steamer which had been placed under offer. In the meantime, efforts were put forth for the chartering of vessels through various agents and firms, with the idea of manning them with unemployed unionists. The projects were abandoned, however, owing to the objections of the New South Wales unions. In September the inter-colonial conference called out the shearers of New South Wales, and on the 24th of that month 16,000 men ceased work in obedience to the summons of the officers of the Shearers' Union. Within a few days the representatives of the Employers' Union offered to meet representatives of the Trade Unions, if the shearers were sent back to work. The inter-colonial conference agreed to this, and the shearers, after having been out for only a few days, returned to work; but the employers did not appoint

representatives to the promised conference.* The shearers suffered for their acceptance of the demands made upon them. In many cases they were prosecuted under the provisions of the Masters and Servants Act and were heavily fined, in addition to forfeiting their wages. The Amalgamated Shearers' Union made good their losses in this respect at a cost of some £9000. The funds of the unions, particularly in New South Wales and Queensland, were by this time inadequate to meet the growing obligations. The Queensland unions, through the joint committee of control, came to the conclusion that the employers had definitely decided to refuse a conference with the Trade Unions, except upon a basis involving complete surrender; and, in view of the practically unlimited supply of unorganised labour, and the exhaustion of the unions' funds, they suggested that the strike should be declared off on a given date.† The Amalgamated Miners' Association, whose members had ceased work in sympathy with the Maritime Unions, now decided that their members should return to work; and the final chapter opened when the Mercantile Marine Officers' Union sought and obtained permission to meet the Shipowners' Association as an individual society. Later this association telegraphed the news that, as the ship owners had agreed to recognise the association, they had consented to forego affiliation with the Trades Hall Council. In the words of the report issued by the Melbourne Committee of Finance and Control, "the campaign was ended! Your committee had no more to fight for. Their remaining

*The Employers' Union agreed to the Conference subject to certain conditions outlined in a letter dated 3rd October, the chief of which was the acceptance of the principle of freedom of contract. The Committee of Finance and Control asked for an "unhampered conference." To this the Employers' Union replied, that, to enter on an "unhampered conference" with the Trades Hall Committee would only lead to further dissension. See pp. 58-60, Report of Committee of Finance and Control Maritime Strike, Melbourne.

†The wire sent by the Queensland Joint Committee of Unions was as follows:—Brisbane, October 22nd, 1890. W. E. Murphy, Secretary Finance and Control Committee, Trades Hall.—Joint Committee of opinion as employers will refuse conference except upon basis involving complete surrender of every point at issue; unwise to continue conflict owing to practically unlimited supply unorganised labour and exhaustion funds. We suggest in interests of Australasian labour that strike be declared off on a given date. Have you any other proposals? If you agree this proposal to be submitted to all interested societies before adoption. Have wired this all colonies. Reply immediately.—Albert Hinchcliffe.—P. 67, Report of Finance and Control Committee, Melbourne.

duty lay in assuaging as far as possible the pang of disappointment that was the inevitable result, and assist in making the best possible terms for the other unionists who had stood throughout the ordeal with an unfaltering and unselfish fidelity.”*

During the progress of the strike, in addition to the attempts made to secure mediation by the unions themselves, many men representative of all shades of opinion also endeavoured to arrange for a conference of the parties to the dispute, but without success. It was only to be expected that in a struggle of such a character as this public opinion was divided. Doubtless it was difficult for many members of the public to realise all that lay behind the outward and visible signs of the strike. It was difficult to understand why the mere fact that a few marine officers were refused permission to join the Trades Hall Council should be made the cause of such an industrial upheaval. By many the view was taken that this was but another instance of the tyranny of Trade Unionism. This view was not only advanced by the employers, but also largely by the press, and therefore it is not difficult to understand that it would be also endorsed by many of the public. Consequently it must be admitted that, on the whole, public opinion was against the unions and in favour of the employers.†

*The Great Maritime Strike of 1890. Report of Committee of Finance and Control. H. W. Mills and Co., Melbourne, 1891.

†The Editor of the “Worker” newspaper at the time of the strike was Mr. William Lane. Mr. Lane was one of the leaders of the strike in Queensland, and when it ended so disastrously to the unions, he formed the idea of starting a socialistic community in some other land. He sent one of his friends to seek a suitable place, with the result that it was decided to accept the offer of the Government of Paraguay, South America, to grant the necessary concessions and liberty. The expedition was recruited from those who were disappointed with the failure of the strike. It was designated the New Australian Settlement Association, and the members were called upon to contribute not less than £50, though contributions of as high as £1,500 were given. A declaration of the constitution was issued and the first contingent sailed from Sydney in a ship purchased by the Association—the Royal Tar. The Settlement was founded under the happiest auspices on land granted by the Government. It was wrecked, however, by jealousies, suspicion and quarrels. The vast majority of the members of the colony were brought back to Australia at the expense of the Queensland Government. Lane and some of his faithful followers founded a much smaller settlement in another part of Paraguay, which they named “Cosmo Colony.” This colony continued in existence for some years, as in December, 1901, it is recorded that Mr. John Lane, representative of the Communist Settlement, was accorded a welcome at a meeting of the Perth Trades and Labour Council. Mr. William Lane left the settlement and later became editor of the “New Zealand Herald.” He died in 1917.

The result of the Maritime Strike was disastrous to the Trade Unions and to the workers in general. The funds of the unions were practically depleted, and this, coupled with the great depression of the next few years, led to a considerable decrease in the membership of those unions. But, though defeated on this occasion, they were not willing to grant the full fruits of the victory to the employers, and this resulted in further serious industrial dislocations.

The collapse of the Maritime Strike led many employers to consider the time opportune for further attempts to secure the acceptance by the unions of the principle of freedom of contract. Whatever may have been the initial cause of the Maritime Strike, it certainly resolved itself, so far as the employers were concerned, into a desire to eliminate Trade Union intervention in agreements between individual employers and their employees, and this is what they meant when they spoke of freedom of contract.* Further, the industrial disputes which followed during the next few years were occasioned principally by the desire of the employers to secure recognition of this principle, as will be seen from the particulars of disputes which follow.

Shortly after the Maritime Strike, trouble arose in the flour milling industry in Victoria, owing to the employers engaging non-union labour. The members of the union refused to work with these non-unionists, and, in an endeavour to secure recognition of the union, pub-

*If proof were needed of the truth of this statement, it is supplied in the Annual Report of the Victorian Employers' Union, published in March, 1891, which contains the following reference to the great strike:—

“While naturally gratified that the strike, which had extended over a lengthened period, had to be declared off by those persons responsible for its initiation, your executive cannot refrain from expressing the hope that the relations between employer and employed will now be of a more harmonious nature, and that the common-sense leaders of the working classes will at least recognise that employers were only demanding what they were quite prepared to concede themselves, viz., freedom of contract.”

Again, in July of the following year, at the Annual Meeting of the Employers' Union of South Australia, a representative of the Federated Employers' Council of Australia stated that one of the main points of the Council's programme was freedom of contract. He wished it to be distinctly understood that they were determined, at all hazards, to insist on freedom of contract being observed by the unions represented on the Council. They were not prepared to have the “liberty of the subject” interfered with by anyone on any account.

lished "black lists" of the firms employing non-unionists, calling upon all unionists to refuse to deal with bakers who purchased their supply of flour from these firms. To this action the employers replied by uniting in refusing to supply bakers who attempted to transfer their orders from firms on the black list to others who had not been so dealt with. Applicants applying for employment in the various establishments were required to answer the following question:—

"Will you please say if you uphold the principle of freedom of contract, or whether you could only work on strictly union lines?"

The Maritime Strike was hardly over before further trouble began in Queensland. On the 6th January, 1891, the shearers refused to sign on under the new pastoralists' agreement at Logan Downs. This agreement provided for a reduction in rates of wages, but primarily was intended to enforce the principle of freedom of contract. Similar refusals at other centres followed, and the endeavour of the pastoralists to secure non-union labour resulted in frequent conflicts between these two classes of labour. The union shearers, as in previous disputes, formed camps outside the stations and used every artifice to persuade or prevent non-unionist labour accepting or continuing in employment. Special constables were sworn in, and at Clermont the military were sent to the seat of the trouble. Many men were arrested and sentenced to terms of imprisonment for offences against the law. On the 30th May the executive of the Shearers' Union, Barcaldine, were arrested and, after trial, found guilty of conspiracy, and sentenced to three years' penal servitude. During this strike the Pastoralists' Union was successful in securing non-union labour from the other colonies. As many as two hundred were sent by one vessel from Melbourne. In addition to receiving free passages to Queensland and an agreement guaranteeing to the holder, on behalf of the Pastoralists' Union of Queensland, six months' continuous labour from the date of arrival in that colony, they were provided with a letter which read as follows:—

"Pastoralists' Union of Victoria.—.....
is registered on the books of this union as a shearer (or shed hand) engaged to work under the pastoralists' rules, and is therefore entitled to assistance in obtaining employment and to protection at the hands of every member of the Pastoralists' Union throughout Australia."

Several attempts were made to secure a conference between the Pastoralists' Union and the Shearers' Union, but without avail. The former body insisted that, prior to any conference being held, the principle of freedom of contract must be agreed to. The strike was declared off by the Shearers' Union in the June following, and once more the employers succeeded in enforcing this principle. Later in the same year the trouble was renewed in New South Wales and Victoria. The Shearers' Union recommended its members to stay at home, rather than go to the country districts and sign the Pastoralists' Union agreement. It was urged on behalf of the union that to agree to a conference with the employers without discussing the question of freedom of contract, which the employers still insisted should not be discussed, would be futile. Shortly afterwards, however, the secretary of the Young (N.S.W.) branch of the Amalgamated Shearers' Union wrote to the Pastoralists' Union asking whether, in the event of his union conceding freedom of contract, the Pastoralists' Union would guarantee to enter into an open conference, without the Amalgamated Shearers' Union formulating any specific questions previous to the conference. To this the Pastoralists' Union replied that "if the representative of the branch will admit in writing that unionists will work with non-unionists arrangements will be made for a conference to be held immediately." The secretary, in reply, stated:

"I concede that members of this union may work with non-unionists, this season."

The Executive Council of the Union immediately communicated their agreement to a conference under the conditions agreed to by the secretary of the Young branch. Prior to the conference the following agree-

ment was drawn up and signed by the representatives of both the employers' and the employees' unions—

"We the undersigned.....agree..... as a preliminary to the conference.....that employers or shearers shall employ or accept labour, whether belonging to the Shearers' or other Unions or not, without favour, molestation or intimidation on either side."

The conference was held and agreements come to on such matters as the working hours, dealing with wet sheep, etc. There being no dispute as to the rates to be paid for shearing this question was not discussed.

From April to December of the same year there were frequent meetings of a conference of employers and employees in the iron trades of Victoria. The chief matters under consideration, and those upon which agreement was with difficulty arrived at, were the question of freedom of contract and the procedure to be adopted in the event of disputes arising between employers and employees. Finally the following was accepted by both parties:—

1st.—The employer in whose shop the trouble arises is to be approached.

2nd.—If no agreement can be come to, a committee of settlement to be appointed, consisting of two employers and two employees.

3rd.—If this committee fails to arrange a settlement, a Board of Reference, consisting of five employers and an equal number of employees, is to be appointed, and they shall choose their own chairman or umpire, and the decision of this Board is to be final and binding on all parties.

It will be seen that the employers were successful in eliminating all reference to the employees' Trade Union or to the Trades Hall Council in the case of a dispute. This furnishes another instance of the determined attempt to prevent interference by Trade Union organisations in negotiations between employers and their employees.

In October, 1891, the mine owners of Moonta, South Australia, intimated their decision to introduce the con-

tract system in the mines forthwith. The miners refused to accept this decision and came out on strike. In spite of various attempts at conciliation, the strike continued until February of the following year, when the miners agreed to return to work on the contract system as proposed by the employers.

Following these disputes came the extensive strike at Broken Hill during the latter part of the year 1892. The miners at Broken Hill were working under agreement arrived at in 1890, after a stoppage of work consequent upon the Maritime Strike. This agreement provided, among other things, for a Board of Arbitration consisting of equal numbers of employers and employees to be presided over by a Chief Justice or a Judge of the Supreme Court of any Australian colony; and, further, the Barrier branch of the Amalgamated Miners' Association agreed that no question of any kind in connection with any other labour organisation should form a basis of dispute, but only such questions as affected the mines and employees therein. This latter provision was made in order to prevent the possibility of any outside labour body calling upon the miners to cease work in connection with any dispute foreign to the mines. The agreement also provided that contracts other than "stoping" of ore should be allowed as previously. From this it is apparent that stoping of ore was not done under contract, but paid for as day labour, and it was this condition which in part was the cause of the strike. In June, 1892, the companies gave notice that on and after the 30th of the following month all agreements would be determined, and that stoping of ore would in future be carried on in the following manner:—

- (1) By prices to be fixed by the mining managers for special work.
- (2) By payment by results for specific work.
- (3) By tender.

It was further stated that while the companies did not intend to interfere with the existing scale of daily wages, they required absolute freedom to stope ore by contract.

The directors of the various mining companies defended the action of the managers in determining the agree-

ment of 1890 on the ground of absolute necessity. They stated that they could not tolerate the domination of the Miners' Association any longer, and they were resolved not to continue to be subject to the union rules, but that freedom of contract for the future would have to be recognised. To this the Miners' Association replied that the managers had endeavoured to evade the agreement of 1890 on all possible occasions, and taken up the attitude that the 10/- a day fixed as the wage of a miner should be the maximum wage, with lower payments to those workers whom they considered to be below the highest standard of efficiency, while the employees considered that the 10/- a day should be the minimum wage paid to any miner.

Immediately the miners ceased work they instituted a thorough system of picketing, with a view to preventing the employment of non-unionists. The mine-owners announced that they would re-open the mines on the 25th August, and stated that they were willing to engage their former employees at the rates of wages in force before the strike. They stated that, while they had no objection to the men belonging to unions, they would not submit to be subject to the control of union rules and regulations. If within a reasonable time after the date specified a sufficient number of former employees did not return to work, they would be reluctantly compelled to make other arrangements. This meant, of course, the replacement of unionists by non-unionists. When the mines opened on the date arranged the members of the union did not return to work, and the employers then endeavoured to secure labour from other centres. This led to serious disturbances, and many arrests were made in consequence of molestation of non-unionists, while finally the seven members of the Miners' Association executive were arrested and charged with "conspiring to create discontent and dissatisfaction and to stir up jealousy, hatred, and ill-will between different classes of Her Majesty's subjects, and to cause divers persons unlawfully and seditiously to assemble for the purpose of carrying into effect the object of such unlawful conspiracy," and further they were charged "with conspiring together to incite numbers of Her Majesty's subjects to riot, tumult and breaches of the peace." Six of the

seven were found guilty of the charges preferred against them and they were sentenced to varying terms of imprisonment, one to three months, three to eighteen months and two to two years. The sentences of five of the number were subsequently reduced.

In November came the end of the strike. After eighteen weeks it was declared off, and the miners indicated their readiness to resume work on the conditions laid down by the mine-owners. It was agreed that the managers of the mines should be at liberty to engage unionists and non-unionists indiscriminately.

While the industrial disputes which have been reviewed were, probably, the most important of the period, and serve to indicate the measures taken by the employers to lessen the power of Trade Unionism, they were not the only disputes. Similar attempts were made in numerous cases, and, though not resulting in such great upheavals of industrial activity, they were generally no less efficient in breaking for the time the power of the unions to interfere between employer and employee. It was also during this period that, owing to the general depression, wages were reduced in nearly all industries. Though some attempts were made to resist these reductions, they were almost invariably ineffective, and the rates of wages declined very considerably. Practically all Trade Union conditions were relaxed, and the members left free to accept employment at any rates of wages they could secure, and, further, were allowed to work with non-unionists.

But if the employers were under the impression that the policy adopted would put an end to Trade Unionism, they were not long in discovering their error. It is true that, during the five years 1890 to 1894, comparatively few new unions were formed—certainly less than the number established in any prior quinquennial period since 1850—but this result was due as much to the unsettled state of the labour market, consequent upon the depression in industry, and to the bank failures of 1893, as to the effect of their defeat in strikes of these years. In times of industrial depression and unemployment the membership of Trade Unions generally declines. Members have to leave their own trade, and often the districts in which they live, to seek work. Again, when unions

can show results in the form of increases of wages and improved conditions, men are attracted to them by the hope of favours still to come. But when, in spite of all that the unions can do, wages are on the down grade, the incentive to join is, to say the least, not great, and the unions have then to rely on those workers who are sufficiently imbued with the principles of Trade Unionism to have faith that the unions will again prove their ability to improve the condition of the workers.

The worst year of this period of depression came in 1893, when business of all kinds was disorganised, through the financial stress and bank failures. Attempts have been made to show that this crisis was due to the action of Trade Unions in bringing about the labour troubles referred to. The Trade Unions were not willing to admit this. Moreover, it is probable that the troubles were rather the result of the impending smash, which must, of course, have been some time in reaching the point when the banks closed their doors.*

There was, however, one result of the strikes and industrial dislocations which was hardly expected by the public or by the employers. The employees had been repeatedly told, during the progress of the disputes, by the leaders of public opinion and others, that if they had grievances they should adopt constitutional methods to right them, and not revert to methods which inflicted suffering upon the public as well as upon themselves. They had been told to use the parliamentary weapon which, owing to universal suffrage and payment of members, was ready to their hands. It is interesting to note that Sir Charles Dilke, speaking at a Labour Congress held at Brussels in February, 1891, and referring to the defeat of the Labour Party which had recently taken place in Australia, said that one of the most striking results of the rebuff would be that the workers would in future take a more active interest in politics. In the following month the Hon. C. C. Kingston, of South Australia, speaking before the Trades and Labour Council of New South Wales, strongly advised the unionists to work steadily

*See Footnote to page 66.

together and to claim their rights through the ballot box.*

It will be seen that they were not slow to act on this advice.

It has already been stated that there were not wanting evidences of a change of view on this question on the part of the delegates present at the 1888 Congress. The rule that Trade Unions must steer clear of politics had been well kept up to this period, but now the unions were beginning to have a realisation of what might be accomplished by a Parliament in which there was a majority of working class representatives. Their success in securing the return of a few representatives in some of the colonies had filled them with aspirations for further and more widespread success.

Another lesson which the unions learnt as a result of their failure in the maritime and other strikes was the need of closer organisation. Even though in each of the colonies a committee had been established to deal with the Maritime Strike, and, further, an inter-colonial conference had been appointed for the same purpose, there was not wanting evidence that the management of this strike was only partially satisfactory, inasmuch as there was a lack of cohesion between the committees of the different colonies, and that steps were taken by one colony without the knowledge or sanction of the others. Summed up, the lessons which the unions learnt through these troublesome times were, first, a recognition of the advantages of securing greater representation in Parliament; and, secondly, a realisation of the need for closer organisation. Consideration of the report of the 1891 Congress will lead to a clearer understanding of the attitude of Trade Unionists generally to these questions.

*The concluding paragraph of the Report of the New South Wales Labour Defence Committee reads:—"This, then, is over and above all others the greatest lesson of the strike, that our organisations must become a means of education and constitutional power. Already it is half learnt. We have come out of the conflict a united labour party, destined amid all the hypocrisy of political life to brighten the lot of our children, if not our own lot."

Again the report says:—"The rule that trade unionism must steer clear of politics, was a golden rule when there was so much work to be done within our present industrial environments. But that time, as we have said before, is drawing to an end, and ere we can radically improve the lot of the worker we must secure a substantial representation in Parliament." (P. 18.)

(3) Progress in West Australia.

Before proceeding to this consideration, however, it is interesting to note that, contrary to the experience in the eastern colonies, it was during this period that Trade Unionism made progress in West Australia. A few unions had been formed in the 'eighties—the Amalgamated Society of Carpenters and Joiners in 1884, the Engine-drivers' and Firemen's Society in 1887, and the Typographical Association and Lumpers' Union in 1889. In the latter year an eight hours' association was formed, and the first demonstration was held in 1890. At the second demonstration, held in 1891, the following unions took part in the procession:—Typographical, Carpenters and Joiners', Plasterers', Bricklayers', Masons' and Labourers'. In 1892 the Carpenters' and Joiners' Association instructed their secretary to correspond with secretaries of other Trade Unions in Perth regarding the formation of a Trades and Labour Council. The matter was taken up by the Typographical Association, and as a result of their efforts a council was formed, and met at the end of 1892 or early in 1893. At the first meeting five unions were represented—Typographical, Lumpers', Bricklayers', Coachmakers', and Amalgamated Society of Engineers. The council continued to meet fortnightly and to take an active interest in the formation of new unions, and to assist in the settlement of disputes between the members of unions and their employers. At the end of 1894 the council had a difficulty in maintaining its existence, owing to the apathy of the unions, and in February, 1895, the secretary was instructed to write to the societies as to the advisability of continuing the meetings of the council. After this the interest was renewed, and it continued under its original name until 1907, when it was changed to the South-West District Council, and in 1909 to the Metropolitan District Council of the Labour Federation of Australia.

(4) Inter-Colonial Congress of 1891.

(a) General.

The Seventh Inter-Colonial Congress was held at Ballarat in April, 1891, only a few months after the end of the Maritime Strike. It was, therefore, of

more than ordinary importance as showing the attitude and temper of the leaders of the unions after their acknowledged defeat in a pitched battle between the opposing forces of labour and capital. This congress was certainly the most important of all held up to that time. It was attended by a greater number of delegates than at any previous congress. There were present 127 delegates, representing 106 Trade Unions or branches, of which 56 were from Victoria, 10 from South Australia, 24 from New South Wales, six from Queensland, eight from Tasmania, and one from New Zealand. The report of the congress shows that, notwithstanding the recent events, a spirit of optimism pervaded the proceedings. The secretary, in the introduction to the report, says, "if there was one item more than another which proved the success of the convention it was the direct lie given to the assertion that the defeat in the Maritime Strike of last year had crushed unionism. Some inexperienced persons had stated that it would take ten years to recover from the shock. So much for their knowledge. On the contrary, let me say that the speeches of the delegates, and the reports of the Parliamentary Committees of the Trades and Labour Councils throughout the colonies, had shown one good effect through the strike, by arousing the workers from a dormant state in which they had allowed themselves to be drugged, by the repeated assertions of the employers that they were ever ready and willing to refer any industrial dispute to an open conference. This, it has been proved, they had not the remotest intention of ever carrying out, so long as they could obtain what they were pleased to term 'free labour,' a name that is consistent with their policy, for they would like it to be free in every sense of the term."

At the commencement of the congress there was some objection to the presence of three delegates, one representing the Social Democratic League of Victoria and the other two the Australian Society of Engineers, New South Wales. The objection to the first-named society was on the grounds that the congress was for representatives of trade and labour organisations only, while the objection to the representation of the Australian Society of Engineers came from the representatives of the Amalgamated Society of Engineers, who stated as the reason

for their attitude that the Sydney Trades and Labour Council has refused to recognise the former society. The question of the acceptance of the credentials of these organisations was referred to the Standing Orders Committee, and on their report the delegate of the Social Democratic League was refused recognition, but was invited to speak on questions dealing with political reform. The delegates of the other society were given recognition.

(b) Parliamentary Committees and Political Action.—

The reports of the various Parliamentary Committees furnish an interesting resumé of the work of the Trade Unions in the various colonies, and also show the action being taken to meet the altered conditions which faced them as a result of the failure of the late strike. The New South Wales report shows that several measures of interest to Labour had been passed by the Legislative Assembly, but had been rejected by the Upper House. Among these was the introduction of the eight hours principle in the Mines Regulation Bill. A Bill for the Legislation of the eight-hour system had been introduced, but was withdrawn as a result of a ruling by the Speaker that it exceeded the order of leave. Among other Bills introduced was one for the granting of loans to Trade Unions, to enable them to engage in co-operative production, and an amendment of the Electoral Act, introducing the principle of one man one vote. Among legislation which had been promised was a Bill to provide for the establishment of Boards of Conciliation, and another to enable Trade Unions to sue for arrears of subscriptions. The most important part of the report, however, was that dealing with the constitution and platform of the Labour Electoral League of that colony. The report gives a brief outline of the constitution and also the platform adopted.*

The Parliamentary Committee of Victoria reported having taken an active part in the election of 1889. A platform was drawn up and submitted to the candidates. While there had been no steps taken to form any organi-

*See page 103.

sation on the lines of the Labour Electoral League of New South Wales, a recommendation from the Parliamentary Committee to the Trades Hall Council, that District Committees be formed in each electorate, had been adopted. These committees had as their object the raising of funds to assist in running candidates at the next general election.

The Queensland report announced the formation of the District Council of the Australian Labour Federation, with six branches in various parts of the colony. This was organised in accordance with the scheme of federation drawn up by the Queensland Trades and Labour council at the request of the 1888 congress.* The report continues:—

“To political action Queensland has paid particular attention, the idea being everywhere accepted that labour must strike systematically at the ballot-box, in order to secure for the workers ownership and control of the means of living now monopolised by the capitalistic class. The caucus system of nomination and a distinct political platform have been adopted throughout the federation, and it is expected at the coming elections the effect of the long-continued organisation will be felt. . . . Our political aims are, roughly, ownership and control by the colony of the means of production and exchange and distribution; saving by the State of all necessary capital; pension by the State of all sick, aged, and children; maintenance by the State of all schools and hospitals; fair division by the State of products of State industry. The parliamentary platform covers adult suffrage, and other radical political reforms. These political ideas have been adopted by some 20,000.”

The report of the South Australian Committee states that at the 1890 election in that colony, twenty candidates had been selected by the Trades and Labour Council as worthy to receive the support of trade unionists, and of these fourteen were returned. It should be observed, however, that these could hardly be classed as

*See page 114.

Labour representatives. They were rather those candidates who were willing to give some measure of support to legislation advocated by trade unionists, but were under no pledge to fulfil their promise. Neither were they directly responsible to the unions or Trade and Labour Councils for their conduct and votes in Parliament. With reference to this election the report says:—

“Prior to this election the Parliamentary Committee formulated a platform containing several important measures, which it was deemed necessary, in the interests of workers, should be legislated upon.”

The platform was generally approved by the Labour Party, and received the support of a large majority of city and suburban candidates who came forward on that occasion. Its chief planks were a Workshops and Factories Act, a Liens Bill for the better protection of workmen's wages, Steam Boilers Inspection Bill, Payment of Members Bill, Free Education, Progressive Tax on Unimproved Land Values, and Eight Hours' Bill. The Legislative Assembly had, moreover, carried a motion accepting the eight hours' system in all branches of the civil service.

The Tasmanian Trades and Labour Council, according to the report of the Parliamentary Committee, also prepared a political platform for submission to intending candidates at the following general election. This included Legalisation of Eight Hours, One Man One Vote, Every Man a Vote, Lower Qualification and Vote for Members of the Legislative Council, Amendment of the Masters and Servants Act, Appointment of Inspectors of Land Boilers and Machinery, Inspection of Factories and Workshops, Prevention of Further Alienation of Crown Lands, and Free, Compulsory and Secular Education.

Notwithstanding the enthusiastic reports of the various Parliamentary Committees, when the committee appointed by the congress presented a report on the question of political organisation, and a suggested constitution and platform for such an organisation, the discussion disclosed the fact that the members of the congress were by no means agreed as to either the desira-

bility of such action or the manner in which such reform should be carried out. The committee's draft included a preamble, rules, and a platform of reforms, twenty-six in number. The preamble averred that recent events within the Labour movement had awakened in the masses of the people of Australia a sense of the political insecurity which existed under the present system of Government, and that in order to remedy this it was necessary that the great body of labour should be directly represented, on the ground that "class questions require class knowledge to state them, and class sympathies to fight for them." The rules, as well as the platform, would appear to have been drafted largely on the lines of those of the New South Wales Electoral League, and it was stated by one member of the committee that they had taken the New South Wales platform as a basis of the scheme. In the discussion that followed, it was first of all moved as an amendment to the committee's recommendation that the words "the platform adopted by any colony" should be substituted for the words "the following platform," and the platform left for each colony to formulate. The amendment was carried, and this, of course, precluded any further discussion on the items included in the platform as recommended by the committee. This course was adopted presumably because the planks of the platform were not acceptable to all the representatives of the unions present, and that it would be preferable to leave the matter open for discussion among the unions of each colony. Numerous resolutions were moved, but the only one which secured the approval of the congress was that moved by Mr. Trenwith, of Victoria, as follows:—

"That this congress desires to urge upon the various labour organisations throughout the colonies the absolute necessity of at once taking steps to secure direct representation of labour in Parliament."

The elaborate scheme of a political organisation was withdrawn by the committee which prepared it, as it was evident that the majority were not ready for action such as that suggested. Thus it was left with the organisations in each colony to take what action they deemed

necessary to secure, in their own Parliaments, the direct representation recommended. Not even the omission of the fiscal question, in deference to the known conflict of opinion in New South Wales and Victoria, succeeded in securing unanimity on other reforms, and the net result of the discussion was to show that delegates were by no means agreed as to the particular kind of reform needed, or upon the manner in which such reform—if any—should be undertaken.

(c) Closer Organisation.

The delegates present at the seventh congress were unanimous in their desire to secure more efficient organisation and also some scheme of federation. The experience of the Maritime Strike had proved to them the menace which existed in times of industrial disputes, when large numbers of workers were unorganised, and available to fill the places of unionists on strike. But, while the necessity for greater organised effort to draw all workers into the folds of unionism was fully realised, it was also plain that there was a further need for closer organisation between the various unions. While many of the unions in existence were affiliated with the various Central Trades and Labour Councils, there was no organisation as between the colonies. The weakness of this position had been realised as far back as the congress held in 1884 (the second); and at this and each succeeding congress schemes of a more or less comprehensive character had been suggested, and had generally received the support of the delegates present. At the second congress the following resolution was passed:—

“That the congress recommends the federation of each colony after the following manner: Each trade to be recommended to amalgamate the several unions in the same trade under one head or governing body. Each of the latter heads then to appoint representatives to a conference, at which a Federal Council shall be elected who shall watch over the interests of the whole, and deal with matters affecting the well-being of the working classes generally.”

The mover of this resolution, Mr. W. G. Spence, M.P., was optimistic as to the success of the scheme, and was of opinion that, if the Melbourne and country branches acted together, the proposed amalgamation could be carried out within a few months. If any one had dared to prophesy at that congress that, twenty years afterwards, the movement for federation would have made so little progress that a similar congress to the one they were then holding would again be discussing and formulating schemes for federation, he would have been laughed to scorn. And yet it is true that, in spite of all efforts, not only of congresses, but of Trades and Labour Councils and Trade Unions generally, it was not until 1913 that a scheme for the federation of the whole of the Commonwealth actually came to a partial realisation—for even that was not adopted by all the States.

It is interesting to compare the different schemes which were submitted and approved at succeeding congresses. The first, as we have seen, was of a simple character—merely the amalgamation of the several unions of the same trade, presumably throughout the whole of the colonies. Each of these federal bodies were then to elect representatives to a Federal Council, which was to watch over the interests of the whole and deal with the general supervision of Trade Unions. At the next congress, in 1885, the Parliamentary Committee of Victoria formulated a scheme of federation which they included in their report as a recommendation to congress. That scheme provided for the appointment of a simple executive nominated and approved by the several Parliamentary Committees, of, say, one or two from each colony. This body was to be subject only to the control of the congress next following the date of their appointment, and its expenses were to be met out of a common fund contributed in equal shares by the several colonies. The duties of the body, in the interim between congresses, was to express opinions, when appealed to, on all questions of inter-colonial interest to the Trade Union organisations of Australia. This scheme, like its predecessor, received the unanimous support of the congress, but likewise failed to materialise. At the next congress, held

in Adelaide in 1886, the resolution adopted was of a much less comprehensive character. It read as follows:—

“That the congress recommends that the various kindred trade and labour societies throughout the Australian colonies and New Zealand take the necessary steps to federate as soon as possible.”

It was pointed out that, notwithstanding the more elaborate schemes adopted by the two previous congresses, little or no good practical results had been attained therefrom. The idea underlying the resolution was explained by the mover to be that the various Trade Unions in each colony should federate with unions of similar trades in the other colonies.*

As showing the need for such federation, it was pointed out that during the recent strike in Sydney, the Masons' Society decided that a penalty of £5 should be imposed on any member who continued to work for a firm with which they were in dispute, until the conditions demanded were complied with. The weakness of the position was said to be that members and non-society men could ignore the decision of the society as, if they wished to evade payment of the penalty or to escape the odium attached to their conduct by their fellow-unionists, they could, when the strike was over, go to the other colonies and take up their position with other unionists with impunity. During the discussion, attention was drawn to the fact that in some trades, such as the Builders' Labourers, Typographical, and Carpenters and Joiners, federation had already been accomplished. An amendment of the motion as originally moved added the words “with a view to the general federation of labour.” This was agreed to, and the amended resolution passed unanimously. As in the case of the resolutions passed at the preceding congresses, nothing tangible resulted in the way of a general federation of labour, and at the next

*It is interesting to note that the kind of federation recommended at this Congress has received far greater attention and success than any other kind, either of previous or later Congresses. It should be pointed out that this is largely due to the necessity for such action in order to proceed more effectively with claims before the Commonwealth Court of Arbitration.

congress, in 1888, the question was again under consideration. The resolution discussed was as follows:—

“That this congress, being convinced that federation is the only practical method by which labour can maintain and assert its rights, recommends—

“(1) That the various societies be asked to communicate with each other on the subject.

“(2) That the various Trades and Labour Councils already in existence, and those which may be hereafter established, accumulate a fund for the defence of labour.

“(3) That a committee of six be appointed from this congress to draft a federal constitution to be laid before every Trades and Labour Council in Australasia for acceptance and report to next congress.”

An amendment substituting “the Trades and Labour Council of Queensland” for “a committee of six” in clause 3 of the resolution was agreed to, and the resolution as amended was carried unanimously. During the discussion, regret was expressed that no practical results had accrued from the efforts of previous congresses to secure federation of Trade Unions. Many explanations for the failure were advanced, but generally it was admitted that it was largely due to apathy, jealousy and lack of control by the Trades and Labour Council over their constituent societies. It was further generally admitted that the absence of organisation among unskilled labourers was a menace in the time of any strike or dispute between employer and employees, and various suggestions were made to overcome the difficulty. Suggestions were made that there should be in each centre a union to which could be affiliated all workers who were ineligible for enrolment in existing unions, and that, as soon as a sufficient number of any trade or calling were enrolled, they could form a new union, taking with them a proportionate share of the funds of the parent union. The establishment of labour newspapers, publication of pamphlets explanatory of union ideals and methods, and the general education of workers in those ideals and methods were advanced as steps in the direction of securing greater organisation of workers, and so leading up to a more general federation of the unions.

At the 1889 congress, held in Hobart, the representatives of the Queensland Trades and Labour Council came prepared with a scheme of federation in accordance with the instructions of the preceding congress. It seems somewhat strange that, after being authorised to prepare the scheme, they should be debarred from presenting it for the consideration of congress, and yet this is what happened. The Standing Orders Committee, in arranging the subjects for discussion, included "Organisation of Labour," and when this was reached the Queensland representative submitted the scheme drafted by his council, and which they had named the Australian Labour Federation. After two or three members had spoken on the subject, the question was raised as to whether the scheme could be considered under the particular item of the agenda, and the president ruled it out of order, presumably because it dealt with federation, while the subject under discussion was organisation.* It was agreed that the draft should be referred to the Standing Orders Committee. Later that committee reported as follows:—

"That the report of the federal constitution scheme, submitted by the Queensland Trades and Labour Council, owing to want of time, cannot be considered at this congress, but that it be included in the official report of the proceedings, and that the special attention of the various councils be directed to the matter

*The scheme had been sent by the Queensland Trade and Labour Council to the Trades and Labour Councils in the other colonies for consideration, prior to the meeting of the Congress. The report of the Parliamentary Committee of the Trades and Labour Council of Brisbane, states:—"In accordance with instructions from last Congress a Federal Constitution scheme has been drafted, and copies of same have been despatched to the Trades and Labour Council of Australasia. It must be admitted that this scheme is a great step in advance, and as it becomes perfected by practical work it will undoubtedly pave the way for a thorough organisation of labour in which 'tenpenny Jack' and 'ninepenny Joe' may stand side by side as equals in the work of the future."

The following extract from the report of the Trades and Labour Council of Melbourne shows that it did not meet with their approval:

"The constitution and rules prepared by the Trades and Labour Council of Brisbane necessarily occupied a large share of the attention of the Committee, and while the members fully recognise the great amount of time and care bestowed upon this very important subject, they felt constrained to admit that the framers had failed to grasp the idea of a federal body, and had drafted a code of rules suitable for a local trades council but not adapted for the purpose intended. As this question will probably be fully debated during the sitting of the Congress at Hobart, to which the delegates will come prepared, the adoption of a scheme, comprehensive in character, yet simple in detail, may be reasonably anticipated."

during the time intervening between this and the next congress."

For some reason or other it was not included in the official report. As it was adopted by the Queensland branch of the Australian Labour Federation, it is possible to compare it with those presented at preceding and later congresses.* The resolution, which was carried after considerable discussion, on the subject of organisation, was as follows:—

"That this congress requests the various Maritime, Building and other Labour Councils to send a direct representative to its local Trades and Labour Council, with a view of more closely cementing all organised labour, and that the various tradesmen and labourers, not at present organised, be urged to do so immediately, and that all trade unionists be urged to give their utmost assistance to the latter in their efforts."

Coming now to the congress of 1891, we find that it marks, in the question of federation, as in that of political reform, a new departure. It has been demonstrated that no definite scheme of federation adopted by previous congresses had been acceptable to the Trade Unions. The resolutions passed were in general terms of suggestion as to steps to be taken. At the congress of 1891, however, a committee of representatives from each of the colonies was appointed to draft a scheme of federation. The question of federation had been discussed at a previous conference held in Sydney, in February of the same year. At this conference representatives were present from South Australia, Queensland and New South Wales. Victoria and Tasmania, though invited to do so, had not sent representatives. The scheme drafted by this conference, which was called for the purpose of considering the one subject, was similar to that adopted by the committee at the 1891 congress, and doubtless formed the basis of that scheme. The scheme as finally adopted is given in the Appendix.† In order to inaugurate the federation, the following resolutions were passed:

*See Appendix.

†It will be seen, on reference to the Appendix referred to, that it was similar to that which had been drafted and adopted by the Queensland unions.

“(1) That the Congress Committee submit the scheme to the various councils.”

“(2) That the council of New South Wales be asked to call together the first Federal Council.”

“(3) That the various Trades and Labour Councils be requested to take steps to carry into effect the scheme of federation adopted at the congress.”

The scheme was accepted by the congress with every assurance of success.

A conference of Labour delegates was held in the following July in Sydney. Representatives from New South Wales, Victoria, South Australia and Queensland were present. The object for which the conference met was stated to be, to consider the question of federation, and the desirability of organising the Labour Party for the next general elections in Victoria, Queensland and South Australia. The arrangements for the holding of the conference, and the proceedings at the conference, were kept secret, but according to the press reports a resolution unfavourable to federation was carried, and another pledging the labour organisations of Victoria to nominate candidates at the next general election, to oppose those members of the Legislative Assembly who, at the last session of Parliament, voted against the motion for an open conference between employers and employees in connection with the Maritime Strike.

In the previous month some attempt appears to have been made in Victoria to secure federation of the various unions in that colony. Several of the unions, fifteen in number, held a conference to advise upon a system of federation. This conference recommended the formation of a Victorian Labour Federation.* This federation existed for a short time, but was never efficient, and was finally disbanded.

*The entrance fee was fixed at 2/6 a member, and it was recommended that all the unions represented at the Conference, should adopt a uniform rate of contribution, such rate to be 6d. per member per week. Out of this amount it was suggested that 2d. a member per week should be put away as a reserve fund to be used for strike purposes or defence against attacks on unionism only. It was further suggested that a system of transfer between the unions represented, should be arranged, and that each union should appoint one delegate, the delegates so appointed to constitute a Board of Reference to consider any disputes arising in regard to such transfer.

There does not appear to have been any attempt by the other Labour Councils to carry out the instructions of the congress. Queensland, of course, continued under the system adopted the previous year, which was practically the same as that recommended by the 1891 congress. In New South Wales, in the November following, the Trades and Labour Council recommended the disbandment of the council and the establishment of District Councils of the Australian Labour Federation throughout the colony.* This recommendation was submitted to the various constituent unions, but was not received with enthusiasm. At the end of June of the following year the Trades and Labour Council reported that, of 87 unions to which the scheme had been submitted, only 27 had approved, the remainder being either averse or undecided. It was stated that the Amalgamated Miners' Association, then one of the most powerful unions, considered the idea of federation to be premature.†

In April, 1894, further attempts were made in New South Wales to bring about the federation of Trade Unions. A meeting was called to consider a proposal put forward at a conference of the Shearers' Union held just previously. A motion was adopted that the Federal Constitution, as outlined at the Ballarat congress, and in force in Queensland, should be brought by the delegates before the members of their unions, and that ballots should be taken as to whether they were willing to join the proposed federation. This was done, and on the 5th May it was decided to disband the Trades and Labour Council of New South Wales, and to form a District Council of the Australian Labour Federation. The unions were not unanimous, only 27 out of the 45 represented agreeing to the proposal. Among those who refused to join the new organisation were the Typographical, Amalgamated Society of Engineers, Boot Trade Employees' Union, and the Tobacco Operatives' Union.

While it was the intention of the unions to continue to hold Annual Trade Union Congresses, the circumstances of the period, causing the temporary collapse of

*The scheme recommended to the unions was that adopted at the Ballarat Conference.

†Page 5, Report of Trades and Labour Council of New South Wales, January 30th, 1892.

many of the unions, were against the carrying into effect of this desire. The sending of delegates entailed a considerable expense to the unions, and they were not in a strong financial position at this time. Consequently it was not until 1898, some eight years later, that the eighth congress was held at Adelaide, and this was not a representative one, as we have seen.* This congress, however, arranged for the holding of a special conference at Brisbane in the following year, composed of three delegates from each colony, to draw up still another scheme for federation. The scheme adopted was similar in character to that submitted to the 1891 congress.† Like its predecessors it failed to secure approval, and was never adopted.

Prior to the federation of the Commonwealth, therefore, no success had attended the efforts to secure a general federation of Trade Unions. Queensland continued the organisation of their unions in accordance with the development of 1889; and for some years at the latter end of the 'nineties New South Wales also operated the scheme. South Australia, Tasmania and Victoria, however, never took kindly to it, and it was not until the beginning of the twentieth century that Western Australia adopted a scheme similar to that of Queensland. In 1900, New South Wales discontinued the organisations and returned to the Trades and Labour Council, while a few years ago Queensland also abandoned the scheme, leaving Western Australia as the only State now having District Councils of the Australian Labour Federation.

To go back to the development of the 'nineties, it is difficult to realise the reason for the utter failure to bring about a general scheme of federation. The discussions at the various congresses show that the need for such a federation was generally acknowledged, and the schemes advocated were unanimously agreed to. Why was it that no successful scheme ever eventuated? Doubtless the isolation of the various colonies in political and national affairs had something to do with it,

*Page 48, ante.

†See Appendix.

and further there appears to have been a considerable amount of jealousy existing between them. There was scarcely ever a common policy among them on any matter of importance, whilst there were decided differences of opinion on such questions as the fiscal policy. Another reason appears to have been the apathy of the unions themselves. There are many evidences of a conservatism which was all against federation. The chief reason, however, appears to have been that it was to the Central Trades and Labour Councils that the duty of inaugurating these schemes was delegated. These bodies were not in a position to compel the constituent unions to agree to their recommendations, and there was, therefore, no effective way of overcoming the apathy and conservatism to which we have referred.

With regard to the more general purposes of the unions—the securing of better conditions of labour and increased wages—the favourable circumstances of the period 1870 to 1889 had enabled individual unions to secure what they sought, through their own efforts, and they had not yet fully realised the futility of isolated action during such adverse conditions as those through which they passed in the 'nineties. Doubtless some of the far-seeing members had realised that such a time would come, and that, when it did come, the need for some organisation to secure united action would be keenly felt. The majority of trade unionists, however, failed to recognise adequately that such a need would ever be experienced.

It should be observed that there was all through the period a measure of federation or amalgamation among certain of the unions. Thus the Amalgamated Miners' Association was composed of branches in the various colonies, while the Typographical Association and the Seamen's Union were federated throughout the colonies. In addition there were the various colonial branches of the English Trade Unions, such as the Engineers, and the Carpenters and Joiners. Perhaps the failure of the Maritime Strike and other strikes of that period did more than anything else to bring about a realisation of the dangers of isolation, but even these experiences were not sufficient to overcome the forces working against federation. No scheme of federation for defensive pur-

poses was accomplished of a sufficiently wide character to be of any practical use. While it is true that the Australian Labour Federation was adopted by New South Wales as well as Queensland, for a few years at the end of the 'nineties, there does not appear to have been any effective co-operation, even between these two colonies. After the introduction of the Commonwealth Conciliation and Arbitration Act in 1904 a large number of federations were established, but the object of these was to secure the benefits arising from registration under that Act.

(d) Other Matters Discussed at the 1891 Congress.

In addition to the questions of federation and political reform, other matters of importance and interest were discussed at the 1891 congress. A careful study of the speeches made during the course of the congress reveals how changed had become the attitude of the leaders of the Trade Union movement. While many of the subjects discussed at the first congress, held in 1879, were under discussion at the congress of 1891, the eleven or twelve years intervening had led to a change in the opinions of those discussing them. Further, there would appear to have been less unanimity among the delegates, who were also more outspoken in voicing their individual opinions, even when they ran contrary to those held by the majority. At this congress, as at the congress of 1879, resolutions in favour of Co-operation, Restriction of Asiatic Immigration, Legalisation of the Eight Hour Day, and demanding further regulations under the Factories and Workshops Acts, were passed. The subjects which had been discussed at the 1879 congress, but were not included in the agenda for the 1891 congress, were the Legalisation of Trade Unions, Encouragement of Native Industries, Education, and the Workers' Compensation Acts. In all the colonies represented at the latter congress legalisation of Trade Unions, on the lines of legislation passed in England, had been passed. The question of encouragement to native industries had been merged in that of protection and free trade, and was evidently considered of too controversial a nature to be submitted to a congress at which were representatives of the free trade colony

of New South Wales and the protectionist colony of Victoria, while the remaining two subjects had received attention from the Legislatures in the various colonies, even if not quite satisfactorily to all trade unionists.

The additional matters of political and social reform submitted were the establishment of a general defence fund under the control of Trades and Labour Councils; exchange of membership cards between unions and colonies; the provision of means for education in the meaning and principles of Trade Unionism; enfranchisement of seamen and shearers; the abolition of plural voting; profit-sharing; prohibition of Government servants accepting employment outside the Civil Service; establishment of Government Labour Departments; and the extension of the principle of the Government undertaking the functions of employer.

With regard to suggested reforms for the better regulation of the conditions of labour, the following recommendations were made:—The abolition of sub-letting and the sweating system; appointment of inspectors under the Factories and Workshops, Shipping and Building Acts; and the better regulation of juvenile labour. The question of the registration of a union trade mark received great attention. This was the first congress at which this matter came under discussion. The item on the agenda read as follows:—

“Registration of a trade mark to be used by employers of union labour on all goods produced in the colonies by such labour.”

It was urged that the adoption of the trade mark was a scientific application of the boycott weapon, and that, by unionists refraining from purchasing any goods but those bearing the label, they would force the employers to use the trade mark, and thus swell the ranks of the unions. It was further urged that its use would reduce sweating, and be effective in shutting out Chinese furniture. Suggestions were made by some delegates that an effective means of advertising goods produced under union conditions was the publication of a list of those employers who were employing union labour. But other delegates stated that, in cases where such a course had been attempted, the newspapers had stopped the adver-

tisements when they were threatened with prosecutions for libel. The delegates were unanimous in adopting the principle as set forth in the motion, and the matter was referred to a committee.*

(5) The Political Labour Party.

(a) General.

The reports of the various Parliamentary Committees at the 1891 congress indicate that Trade Unions were entering upon an entirely new departure in the matter of representation in Parliament. It is true that at the previous congresses there had been resolutions passed advocating the direct representation of labour in Parliament, but it was not until after the Maritime Strike that there came a full realisation of the advantages that appeared likely to accrue to the unions through their having Labour representatives in the various colonial Parliaments. Up to the end of the 'eighties the majority of trade unionists were opposed to the course advocated by some of the more ardent spirits

*That committee submitted the following report:—Registration.—To be made in the name of one person elected by Congress in all the Australian Colonies simultaneously. Transfer of separate colonial rights to be signed in blank by registered proprietor at the time of application. Transfer to be entrusted to the Provincial Council of each colony who shall elect trustees in whose names the various inter-colonial rights shall be vested. All trustees to be bona fide members of trade and labour unions.

The Provincial Council was named in view of the establishment of the Australian Labour Federation as agreed to by Congress, but which did not eventuate.

Further regulations were made as to replacing trustees who ceased to be members of trade unions, as to meeting the cost of registration, the means of utilising the trade mark, and the period for which permits to use it should be granted. The committee further submitted a design which they explained had been adopted more for its simplicity than for its ornateness. The "8" was an emblem of their Eight Hour Day; "A. U." stood for Australian Unity, and the stars of the Southern Cross were an emblem of the Australian Flag.

One of the Melbourne delegates was appointed to proceed from Ballarat to Melbourne immediately to register this trade mark. This, however, proved not to be so simple a matter as had been anticipated. The cost was found to be prohibitive, as the charge for registration was for Victoria £1/15/-, and for New South Wales £4 for each class, and in order to be effective it would have to be registered in at least 30 different classes. The committee, therefore, recommended that the Federal Council of the proposed Australian Labour Federation should adopt the design as the Federal Seal, and that it should be registered as such. An interesting development of this matter occurred after the inauguration of the Commonwealth (see p. 193).

among them. The idea of capturing the Parliamentary machine appeared to be altogether beyond the realms of possibility; and the traditional idea of Trade Unionism, as being exclusively concerned with the affairs of their trade, was accepted by this majority. The events of 1890 and 1891, however, appear to have revolutionised that idea. It is true that there were still a number who believed that a wide gulf separated Trade Unionism and politics, but instead of these being in the majority they were now in the minority. During the time of the strikes of this period, as we have already seen, public men of various shades of political opinion had advised the working classes to secure the redress of their grievances through Parliament, rather than by utilising the strike weapon. This advice they were now endeavouring to act upon. It was early discovered, however, that it would be necessary to create another organisation. Excepting in Queensland, where the scheme of labour federation had been adopted, the unions were deficient in organisation suitable for carrying out a political campaign. Further, the point of view which appears to have commended itself to unionists was that a wider organisation, less restricted in its membership than were Trade Unions, was necessary if this new development was to be successful. The percentage of workers who were members of Trade Unions was small, and unless those workers who remained outside the industrial movement could be attracted to the political movement they could not hope for any great measure of success. This was the attitude early adopted in New South Wales, where political organisations, under the name of Labour Electoral Leagues, were formed immediately after the conclusion of the great strike. In some of the other colonies attempts were made to utilise the Trade Union organisations for political work, but by the end of the century all the colonies had come to the conclusion that political, as distinct from industrial, organisation was needed if the Labour Party was to succeed in its endeavour to secure greater representation in the Parliaments of the colonies. The Trade Unions, through their Trades and Labour Councils, took a very active part in the formation of these political organisations, and have continued to be the mainstay and support of them. In

order to follow the development of the Labour Party in each colony it is proposed to review briefly the events leading up to the formation of this party in each colony separately, and at the same time to see what measure of success was attained in the object which they had in view, namely, the creation of a distinct and powerful class-conscious Labour Party in Parliament, pledged to vote and speak for the reforms advocated by the rank and file of the movement.

(b) New South Wales.

In New South Wales, as we have already seen from the report of the Parliamentary Committee to the Ballarat congress of 1891, that committee had been instructed by the Trades and Labour Council of New South Wales to draft a constitution and platform for the government and guidance of an organisation, to be named the Labour Electoral League. As this was certainly the first distinctive political labour organisation, the object, rules and platform agreed upon are of interest. As reported to the congress, they were as follow:—

The objects for which the league was formed were stated to be—

(1) To secure for the wealth producers such legislation as will advance their interests, by the return to Parliament of candidates pledged to uphold the platform of the league.

(2) To secure the due enrolment of all members of the league who may be entitled to vote in any electorate.

(3) To bring all electors who are in favour of democratic and progressive legislation under one common banner, and to thoroughly organise such voters with a view to concerted and effective action at all Parliamentary elections in the future.*

*Any qualified elector was eligible for membership upon subscribing to the platform of the League and payment of 2/- half-yearly in advance. No person was eligible for membership in more than one branch of the League. Other resolutions provided for the management of the League and the control of candidates nominated under its auspices.

The platform adopted consisted of sixteen planks, and is given in full herewith:—

(1) Electoral reform to provide for the abolition of plural voting; the abolition of money deposits in Parliamentary elections; extension of the franchise to seamen, shearers and general labourers by means of a provision for the registration of votes; extension of the franchise to policemen and soldiers; abolition of the six months' residential clause as a qualification for the exercise of the franchise; single member electorates and equal electoral districts on adult population basis; all parliamentary elections to be held on one day, and that day to be a public holiday; and all public houses to be closed during the hours of polling.

(2) Free, compulsory, and technical education, higher as well as elementary, to be extended to all alike.

(3) Eight hours to be the legal maximum working day in all occupations.

(4) A Workshops and Factories Act, to provide for the prohibition of the sweating system; the supervision of land boilers and machinery; and the appointment of representative working men as inspectors.

(5) Amendment of the Mining Act, to provide for all applications for mineral leases being summarily dealt with by the local warden; the strict enforcement of labour conditions on such leases; abolition of the leasing system on all new goldfields; the right to mine on private property; greater protection to persons engaged in the mining industry; and inspectors to hold certificates of competency.

(6) Extension to seamen of the benefits of the Employers' Liability Act.

(7) Repeal of the Masters and Servants Act and the Agreements Validating Act.

(8) Amendment of the Masters and Apprentice Act and Trade Union Act.

(9) Establishment of a Department of Labour, a national bank, and a national system of water conservation and irrigation.

(10) Elective magistrates.

(11) Local government and decentralisation; extension of the principles of the Government as an employer, through the medium of local self-governing bodies; and the abolition of our present unjust and injurious method of raising municipal revenue by the taxation of improvements effected by labour.

(12) The federation of the Australian colonies upon a national, as opposed to an imperial, basis; the abolition of the present defence force, and the establishment of our military system upon a purely voluntary basis.

(13) The recognition in our legislative enactments of the natural and inalienable rights of the whole community to the land—upon which all must live and from which by labour all wealth is produced—by the taxation of that value which accrues to land by the presence and needs of the community, irrespective of improvements effected by human exertions; and the absolute and indefeasible right of property on the part of all Crown tenants in improvements effected on their holdings.

(14) All Government contracts to be executed in the colony.

(15) Stamping of Chinese-made furniture.

(16) Any measure that will secure the wage-earner a fair and equitable return for his or her labour.

It will be seen that the aim of the league was to attract all democratic voters to its fold. The fees were nominal, while the platform agreed upon had in it many reforms which appealed, not only to trade unionists, but to workers in general. Further, local autonomy of the branches was preserved in its fullest sense. They were empowered to select their own candidates for Parliament, the Central Committee to give advice only, and

that solely when asked to do so. It can well be understood, therefore, why they were so successful even in the early stage of their existence. At the election of 1891, held soon after the Ballarat congress, the various electorates nominated no fewer than 45 candidates, pledged to adherence to the platform of the league. Of these, 35 were elected. Their achievements in the Parliament of 1891-4, in the matter of labour legislation, were not great. Practically the only one of the measures included in the platform which became law was that of "one man one vote."*

The fiscal question proved to be the rock on which the party came to grief. At a conference of the branches of the league held in January, 1893, the following resolution with reference to this question had been passed:—

"That this conference considers that the sinking of the fiscal issue shall mean that the Labour members elected to Parliament shall support the Government that will give concessions for measures, as a solid party, until the fiscal question shall be settled by a referendum of the people."

Notwithstanding this instruction from the league, and despite the fact that members of the party had pledged themselves, at a Caucus meeting, to vote in the House as a majority of the party sitting in Caucus should determine, and, further, that a majority of the Caucus had decided that the party vote should be given against any alteration in the tariff, when the question came to the vote in the House the protectionist members voted for an increase in the extent and rate of the Customs duties. The party was about equally divided on the matter, and consequently they separated themselves into two parties, one half supporting the Ministry and the other the Opposition. It was considered by many of the leaders of the party outside Parliament that this split resulted through the pledge not being sufficiently binding, but it is doubtful whether any pledge would have been strong enough to have prevented the split under such circumstances.

*For a more detailed account of the proceedings of this Parliament and of the part which the Labour Party took in it, see "History of the N.S.W. Labour Party," by George Black; Sydney. 1910.

As a result of the action of the Labour members in thus breaking their pledge, a further conference of the branches of the league was held in November, 1893, at which the platform adopted was again confirmed. A proposal was made that the Labour Party in Parliament should be pledged to vote solidly on all questions, but after discussion it was decided that members should be given a free hand in any divisions not affecting labour, or other matter of highest importance. It was further decided that members should meet in Caucus on all important occasions to decide as to the vote to be given. A committee appointed by the conference drew up a form of pledge to be signed by all candidates for Parliament in the labour interest.*

It is stated that the decisions of this conference were not accepted with any degree of enthusiasm by the Labour members. They rather resented the position assigned them, considering it to be that of mere automatic delegates elected for the purpose of registering votes in accordance with a policy outlined by the league. Further, they were not all willing to accept every plank of the platform as adopted by the league. It is stated that, with a view to counteracting in some way what they considered to be the domination of the league, the Labour members called a conference of the Labour members in all the colonies. This conference met in January, 1894. It was stated at the commencement, by the delegates from Queensland, that more delegates would have been present from that colony were it not for the general impression arising from rumours, confirmed by the "Worker," that some of the New South Wales members proposed to use this inter-colonial conference of Labour members as a means of formulating a more moderate political platform, which they intended should supersede that adopted by the New South Wales Labour Electoral League.

*The pledge adopted on the recommendation of this committee was as follows:—"I, the undersigned candidate for selection by thebranch of the Labour Electoral League, do hereby solemnly give pledge that if not selected as a candidate for Parliament by the branch, I will not in any way oppose the candidature of the duly selected nominee of the branch, and I also solemnly give my pledge that if selected by the branch I will, if elected to Parliament, vote in accordance with the spirit and letter of the Labour Conference of 9th November, 1893, upon such questions as were specified by resolution at the 9th November Conference."

At the conference, resolutions were passed in favour of action being taken by Labour members of the various Parliaments to secure the following reforms:—

Restriction of Asiatic immigration.

Establishment of Departments of Labour, whose duties shall include the collection of statistics, the organisation of surplus labour locally, provisions for conciliation and arbitration in industrial disputes, direct employment of labour by the Government for public works, and the establishment of State farms and village settlements to absorb the unemployed.

Establishment in each colony of State banks, and the amendment of existing banking laws to provide for the periodical examination of bank assets and balance-sheets.

Resolutions were also passed stating that in the opinion of the conference no system of federation would be acceptable to the democracy of Australia which does not provide for the principle of one man one vote, also declaring that it was necessary that an improvement of the machinery of Government should be made for the accomplishment of political and social reforms, and that as the existing institutions of the Second Chambers and the present methods of party government are most unsatisfactory, the Labour members in the several colonies endeavour to secure action on a common basis in the near future. An attempt to obtain an expression of opinion on the temperance question was vetoed, while a resolution recommending the extension of the franchise to women was withdrawn, owing to the strong opposition it called forth.

Endeavours were made to secure the acceptance by New South Wales Labour members of Parliament of the pledge adopted at the November conference of the league, but without success. In reply, those members stated that they were of the opinion that each branch of the league should have absolute freedom in selecting candidates for Parliament, and that the question of the pledge to be signed should also be left, in each case, to the candidates and the branches of the league by whom they were selected. The Central Committee of the league and the members of the Parliamentary Labour Party

were unable to come to any agreement, and the former body then circularised the various branches calling a further conference to discuss the following matters:—

(1) The expediency of modifying the form of pledge to be required from Labour candidates.

(2) The expediency of modifying the eight-hour plank as now included in the platform.

(3) Revision of the general rules of the league.

At this conference the resolution of the conference of the 9th November, 1893, as to the need for solidarity in Parliament, was confirmed, but a committee appointed to revise the form of pledge modified it somewhat.*

The eight hour plank was altered by the addition of the words "where practicable," and then read "eight hours to be the legal maximum working day in all occupations where practicable." An amendment of the rules provided for the representation, on the Central Committee, of the Parliamentary Labour Party, but that party refused to nominate representatives.

Although attempts were made to secure unanimity in the acceptance of the decision of this last conference, they were unsuccessful, and at the election of 1894, 78 candidates went to the poll having signed the pledge, while 22 candidates refused to sign that particular pledge, but in nearly every case signed pledges adopted by the branches of the league or other bodies who selected them. Fifteen of the former or "solidarity" section and twelve of the latter or independent section were returned to Parliament.

At the annual convention of the Australian Workers' Union (which was the name adopted by the amalgamation of the Shearers' Union and the General Labourers' Union), held in February, 1895, steps were taken to endeavour to secure a satisfactory settlement of the various

*As modified, the pledge differed from the previous one by prohibiting opposition to the duly selected candidate of any branch, while the part of the pledge referring to Parliamentary votes was altered to read as follows:—

"I solemnly give my pledge that, if selected by the branch, I will, if elected to Parliament, vote upon all questions affecting the Labour platform, the fate of the Ministry, the establishment of a monopoly, or the conferring of further privileges on the already privileged classes, as a majority of the Labour Party may, in caucus, decide. I give this pledge on the understanding that on all minor questions I shall be left unbound."

differences existing in the Political Labour Movement, and, as a result, later in the year a conference was held, at which were present representatives of the Labour Electoral League and the Australian Labour Federation, of which the Australian Workers' Union was a constituent union. One of the conditions which the Labour Federation laid down as the basis for the amalgamation of the two bodies was also the object of the conference—the alteration of the pledge. After negotiations this was agreed to.*

The name of the new organisation which replaced the Labour Electoral League and the Australian Labour Federation by an amalgamation of the two was the "Political Labour League."

At the next election, in July, 1895, the candidates of the Political Labour Leagues all accepted the pledge as amended, and 45 seats were contested, of which 18 were won. Those of the original members who broke away from the party on the question of the pledge and other matters, allied themselves with the other political parties. One other election took place during the period under review, and 18 Labour candidates were returned.

(c) Victoria.

Prior to the election of 1889, the Parliamentary Committee of the Melbourne Trades and Labour Council drew up a platform, which was submitted to the candidates offering themselves for election. The platform consisted of 14 planks, as follow:—

(1) The maintenance and extension of protection of local industries.

(2) The extension of the same principle to the farming and grazing interests by an adequate increase in the duties on imported cereals and stock.

(3) Making public boards and trusts directly responsible to Parliament in all matters involving the expenditure of public money.

*The pledge, as altered, read:—"I hereby pledge myself not to oppose the selected candidate of this or any other branch of the Political Labour League. I also pledge myself, if returned to Parliament, on all occasions to do my utmost to ensure the carrying out of the principles embodied in the Labour platform, and on all such questions, and especially on questions affecting the fate of the Government, to vote as a majority of the Labour Party may decide at a duly constituted caucus meeting."

(4) Representation of labour upon all public boards, trusts, and the Commission of the Peace.

(5) Extension of the franchise and the provisions of the Employers' Liability Act to seamen.

(6) Repealing or modifying the Civil Service Act and the regulations under the Railways Management Act, especially in reference to the limitation of age of employees.

(7) A Bill for the compulsory indenturing and teaching of apprentices, and amendment of the Masters and Servants Act, to provide for the greater compensation for neglect of employers to teach apprentices, and to facilitate the recovery thereof.

(8) The repeal or radical amendment of the Master and Servants Act, to provide that breaches of agreement, either by masters or servants, may be punishable by fine or imprisonment, and for making agreements entered into outside the colony invalid.

(9) Wages Lien Bill.

(10) Eight Hours Legislation Bill.

(11) Abolition of plural voting.

(12) Proper inspection of all workshops, factories, land boilers, scaffolding, and appliances used in the construction or erection of buildings, machinery, etc., and the employment of practical workmen as inspectors.

(13) A Bill to prevent the introduction of criminal, pauper or Asiatic labour.

(14) Amendment of the Factories and Shops Act to provide for a uniform time for closing shops throughout the colony.

At this election three members who could be classed as Labour candidates were elected. After the Maritime Strike, the Trades Hall Council recommended the formation of District Committees in each electorate for the purpose of raising funds to assist in running candidates at the forthcoming election. The organisation was to bear the name "The United Labour Party of Victoria." Shortly afterwards, however, in May and June, 1891, a convention of the trades and labour bodies of Victoria

was held at the Trades Hall, Melbourne. The conference framed a constitution and rules for a political organisation, to be called the Progressive Political League of Victoria, and drew up a platform which, in the opinion of the committee, was calculated "to secure the adhesion of a large majority of the electors of Victoria." In August, 1891, a meeting of secretaries, treasurers and presidents of the unions connected with the Trades Hall Council was held to consider the question of providing funds for carrying on the campaign in the political field by the Labour Party. It was decided to ask the unions to render financial assistance to the branches of the Progressive Political League, so that arrangements could be made to nominate and support candidates in the Labour interest at the next general election. It was stated that the intention was, in the event of plural voting being abolished before the election, to nominate Labour candidates for nearly all the electorates. It was pointed out that if the candidates of the other parties were allowed to go to Parliament without having to go to the poll, in some of the electorates, then persons having property in various electorates would elect to use their votes in those constituencies where, by concentration, they might hope to defeat Labour candidates. Thirty-three candidates were nominated at the election of March, 1892, but only eight of these were returned.

On the 25th June, 1894, a conference was called by the Trades Hall Council of Melbourne. To this conference representatives had been invited from all the societies affiliated with the Trades Hall Council, Amalgamated Miners' Association, Provincial Trades and Labour Council, Amalgamated Shearers' Union, Democratic Clubs, Workingmen's Clubs, Protection, Liberal and Federation League, branches of the Progressive Political League, and the Women's Suffrage League. This conference was called to make arrangements for the forthcoming election. Candidates were nominated for a large number of electorates, but only sixteen Labour candidates were returned to Parliament.

The next election was held in October, 1897—but more than a year previously steps were taken to revive the political organisation of the Labour Party, which had been inactive since the 1894 election. In May, 1896, at

a meeting of the Trades Hall Council, a sub-committee composed of representatives of the Trades Hall Council and the United Labour and Liberal Party of Victoria formulated a platform for adoption by candidates in the various electorates who sought the votes of the trade unionists. This platform was as follows:—

“1. Constitution.

- (a) One man one vote.
- (b) That registration be the sole qualification for Parliamentary elections.
- (c) Provisions for the enfranchisement of seamen and other persons following migratory occupations, and for recording their votes at all elections.
- (d) The referendum to be applied for the settlement of vexed public questions.

2. Taxation.

- (a) A progressive tax on town and land values without exemption, exclusive of improvements.
- (b) Accumulative tax on all incomes over £200 per year and a tax on absentees.

3. Social Reforms.

- (a) Establishment of a State bank.
- (b) A law enacting a maximum labour day of eight hours, where practicable.
- (c) The adoption of a minimum rate of wages in connection with all Government works, and the same to be applied to all municipal bodies subsidised by the State.
- (d) Establishment of a Department of Labour with a responsible Minister.
- (e) Establishment by law of Courts of Conciliation and Compulsory Arbitration for the settlement of disputes between employers and employees.
- (f) Prohibition of the importation of Chinese and Asiatic labour, and of workmen under contract.

- (g) That it is the duty of the Government to provide work for its own unemployed people and make provision for the destitute.
- (h) The maintenance and perfection of the policy of protection.

4. Federation.

To be consummated by a convention elected directly by the people to draw up a Federal Constitution, such constitution to be eventually submitted to the people by means of the referendum for acceptance or rejection."

It will be seen that the organisation of the political movement was, during the 'nineties, practically controlled by the Trades Hall Council. At the 1897 election, thirteen Labour candidates were returned. In 1900, following the example of New South Wales, the Labour Party in this colony formed a separate political organisation known as the Political Labour Council of Victoria. This body was constituted on similar lines to the New South Wales political organisation, and at the election held in that year 13 Labour candidates were returned to Parliament.

(d) Queensland.

In this colony, it will be remembered, the unions adopted the organisation of the Australian Labour Federation. In addition, a Workers' Political Association was formed, which accepted as members both trade unionists and workers not connected with such unions. In 1892 four Labour members were elected to Parliament. Prior to the 1893 election the following platform was issued by the Workers' Political Association:—

"One man one vote.

All elections on one day.

Abolition of the nominee chamber.

State control of water conservation and irrigation.

State-aided village settlements.

State bank.

Secular education—elementary compulsory, higher optional; but both free in State schools.

Statutory eight-hour day where practicable.

Shop and Factories Act.

Miners Act, giving protection to miners.

An Act for the inspection of land boilers and machinery.

Lien on Wages Act.

Progressive tax on land values.

Realisation of an adequate return from unalienated public estate.

Abolition of State-aided immigration.

Abolition of all Conspiracy Laws relating to industrial disputes.

Referendum and submittal of measures for the approval or rejection by the people.

Revision of the railway tariffs.

Ousting of a member of Parliament on a two-thirds majority adverse vote of his constituency.

Exclusion of coloured, Asiatic, and contract or indentured labour.

State construction and ownership of all railways.

In the management of the affairs of this political organisation all local branches were to have a free hand on local matters. The fiscal policy was not to be regarded as a Labour Party question. Candidates for Parliament under the auspices of the Labour Party were to be sober, and to be pledged to vote for the unconditional release of the men who had been imprisoned in connection with the strikes in the pastoral industry. Further, they were to be pledged to support the platform when elected to Parliament.*

At the 1896 election 20, and at the 1898 election 23, Labour candidates were returned. During this latter Par-

*The general pledge was as follows:—"I, the undersigned candidate for the selection by the branch of the Workers' Political Organisation, hereby give my pledge, that if not selected as a candidate for Parliament by the branch, I will not in any way oppose the candidature of the duly selected nominee of this or any other branch, and if selected I agree to advocate and support the principles contained in the platform."

liament, in 1899, the Labour Party were successful in securing the overthrow of the Government of the day, and the leader was called upon to form a Ministry. On meeting Parliament the Labour Government was refused supply, and was promptly turned out of office by a coalition of the other parties.

To go back to the year 1894, the Government of the day introduced in Parliament a Peace Preservation Bill, to which reference has already been made in connection with the shearers' strikes of this year. During the passage of this measure through the House there were scenes of great disorder, caused by the opposition of the Labour members to the provisions of the Bill. This led to eight of these members being removed from the House, and suspended for a week; but before the week had expired they presented themselves in the House as a protest against the sentence, and were again ejected. A few days later, seven of them issued summonses against the Speaker for assault, trespass and false imprisonment. At the trial of the first of these cases judgment was given for the Speaker, and the other cases were withdrawn.

This Act was passed for the purpose of dealing more effectively with the disorders arising from the shearing dispute then in progress, and of which mention is made below. Its operations were to be limited to one year, and while it included provisions for the maintenance of law and order, the dispute shortly afterwards ended, and there was therefore little need for the enforcement of these provisions.

(e) South Australia.

The report of the Parliamentary Committee of the Trades and Labour Council of this colony submitted to the 1891 congress stated that, at the election of 1890, the committee had formulated a platform to which 20 candidates for Parliamentary honours expressed their adherence, and of these fourteen were returned. As already explained, these could hardly be classed as Labour candidates in the present acceptance of that term, and it was not until the following general election that direct representatives of Labour were nominated. Prior to the election of 1892, the Trades and

Labour Council called a meeting of all unions and Workers' Clubs, whether affiliated to the council or not. This meeting drew up a platform and adopted a pledge. An agreement was also come to, in order to meet the election expenses of direct Labour candidates for Parliament, to levy a tax of sixpence per member upon all societies. The platform was, of course, similar in most respects to those of the other colonies already quoted. A ballot was taken among the members of the unions for the purpose of electing fifteen candidates, to contest the election as direct representatives of Labour in any district to which they were allotted by the Executive of the Parliamentary Committee of the Trades and Labour Council. Eight of these fifteen secured election to Parliament. At the 1896 election, and also at the 1899 election, eleven Labour representatives were returned.

(f) Western Australia.

In this colony the Trades Hall Council, at the end of 1893, appointed a committee to take steps to form a Progressive Political League. This was done, and the league drew up a platform. It was shortly after this that the Trades and Labour Council relapsed into a moribund state, and the Progressive Political League also seems to have fallen very soon afterwards into the same condition. Early in 1895, when the Trades and Labour Council had once more commenced to enlist the active interest of Trade Unions, mention was made at one of the meetings of "the late Progressive Political League," and payment authorised of an amount to settle the outstanding accounts of this body.

In July, 1899, the Parliamentary Committee of the Trades and Labour Council formulated rules and a platform for a new political party as follows:—

"Rules.

1. Name to be Political Labour Party.
2. To consist of persons subscribing to platform and paying 2/6 per annum to a branch.
3. Branches to consist of any number of persons, and formation to be subject to approval of the Executive Committee.

4. Executive Committee to consist of two delegate members from each branch, and the Parliamentary Committee of the Trades and Labour Council.
5. Officers to consist of president, vice-president, secretary, and two auditors, elected each June and December.
6. Branches to pay Executive Committee 3d. per member each half-year, in June and December.
7. When notified by the Executive Committee, branches to nominate members of party for submission to ballot of the party as candidates for Parliamentary elections.

Platform.

1. Payment of members.
2. One adult one vote.
3. Tax on unimproved land values.
4. Compulsory industrial arbitration.
5. Free compulsory secular education.
6. Factories Act."

All candidates for membership to this political party were required to make the following declaration:—

"I.....hereby agree to advocate the above-mentioned reforms and pledge myself to abide by a majority vote decision affecting the same."

At the end of 1900 the rules were revised and the following additional planks added to the platform:—*

- "1. Redistribution of seats on population basis.
2. Reform of Legislative Council.
3. Mining laws of 1895 to be reverted to.
4. Stoppage of the further alienation of Crown lands.
5. Old age pensions."

*In addition to the alterations to the platform, the declaration was modified to read:—

"I hereby agree to advocate the above reforms and pledge myself to abide by a majority decision affecting the same, and in all matters appertaining to alteration of rules and amendments of platform, selection and support of candidates."

The first Labour candidate for Parliament stood for North Fremantle in 1894, but was defeated. In 1897, the first Labour candidate for Western Australia was elected, but it was not until the following decade that any material success was secured in the election of Labour representatives to Parliament.

(g) Tasmania.

In Tasmania in 1893 a Liberal Progressive League was formed, and in 1896 a meeting was held at which representatives of this league and of the Trades and Labour Council were present, and formed an amalgamation under the name of the Democratic League. Later in the same year the Liberal League of Launceston joined the Hobart organisation, and a political platform was adopted. Up to the end of the century the representatives of Labour were unable to secure any seats in the Parliament of this colony.

(h) The Position at the End of the Century.

In 1897 the Federal Convention elections were held, and in connection with these elections the Labour Parties of the various colonies issued manifestoes setting forth the principles which the candidates nominated by them were pledged to advocate. The chief of these were:—One adult one vote; payment of members; elective ministries; and the introduction and adoption of the initiative and referendum.

From the foregoing particulars of political agitation by the Labour Party in the colonies, it will be seen that, while New South Wales and Queensland Labour Parties had been successful in securing substantial representation in the government of their respective colonies, in the other colonies the number of direct representatives elected was comparatively small. There is no doubt, however, that, though in a minority in the Parliaments, they were able to exercise a considerable amount of influence upon the course of legislation.

The policy of the Labour members was that generally advocated by the conference of the Labour Electoral League of New South Wales in January, 1893: to give support to any party, whether in power or in opposition,

which would give concessions in regard to measures. Nevertheless, they were ready if occasion demanded to refuse support, if by so doing they could prevent the enactment of measures which they considered to be detrimental to the interests of the working class. It was not until the next decade that the fusion of the anti-Labour parties became general, and Labour occupied the place of a direct Opposition. Later, in some States and in the Commonwealth Parliament, they were able to secure a majority and to occupy the Government benches.

The course of legislation during the 'nineties was certainly more in accordance with Labour ideals than in any previous years, and the main credit for this must be given to those members of the Labour Party who sat in the Parliaments of the colonies. It is not necessary to enter into particulars of this legislation in detail, though that relating to fixation of wages and the settlement of industrial disputes is worthy of special notice, in view of the importance which these matters later assumed.

(6) Conciliation, Arbitration and Minimum Wage Legislation.

While the legislation now in force in Australia with regard to these questions has received more than ordinary attention, it is interesting to note just what were the circumstances which led to the passing of the Acts in the first place. In Victoria, during the 'eighties, Conciliation Boards of Employers and Employees, constituted of representatives from the Employers' Union and the Trades Hall Council, were formed. Mention has already been made of the settlement, in 1884, of the Bootmakers' Strike by such a board.* Later a similar body, but with an independent chairman who acted as arbitrator, arranged the terms of settlement in the wharf labourers' dispute.† In 1882 a Bill was introduced in the New South Wales Parliament to establish a Council of Employers and Employees for the purpose of settling disputes, but was not proceeded with.

*See page 38, ante.

†See page 41, ante.

Some two years later a Bill to establish Councils of Conciliation was before the Victorian Parliament. The Trades Hall Council, after consideration, passed the following resolution:—

“That in the opinion of this council the Bill now before Parliament cited as the Councils of Conciliation Act 1884, is not one which, if passed into law, is calculated to be of any benefit to the working classes, inasmuch as it will rather promote than retard disputes between employers and employees.”

It was stated that the Bill was framed at the instance of the Amalgamated Miners' Association, but, as a result of the opposition of the Trades Hall Council, it was abandoned.

This question was discussed at only one of the inter-colonial congresses, that of 1889. The reference in the introduction to the report of proceedings at that congress reads as follows:—

“Boards of Conciliation and Arbitration are becoming more common as recognised institutions, and we hope in a short time to have them legalised. The evils resulting from strikes and lock-outs are such that it should form a part of the duty of every trade unionist never to resort to them without having first offered arbitration. The relations between capital and labour are often with difficulty adjusted, and, if by co-operation their interests become identical, then let an effort be made to introduce a system that must be beneficial to all parties interested.”

The resolution moved by one of the representatives of the New South Wales Miners' Association reads:—

“That in the opinion of this congress the time has arrived for the establishment of Boards of Conciliation and Arbitration for the settlement of all disputes between capital and labour, and so prevent strikes and lock-outs.”

The delegates were by no means unanimous on the question. One member of a Victorian Board of Conciliation stated that it had not been a success, and advocated compulsory boards, while others maintained that all the

advantages the working class had obtained in increased wages and shorter hours arose from strikes. The motion as moved was agreed to by a large majority of the delegates present.”*

The Trades Disputes Conciliation and Arbitration Act was passed in New South Wales in 1892. The preamble to the Bill set forth that it was believed that “the establishment of Councils of Conciliation and Arbitration for the settlement of disputes between employers and employees would conduce to the cultivation and maintenance of better relations and more active sympathy between employers and their employees,” and confer a great benefit upon the public, “by providing simple methods for the prevention of strikes and other disputes, from the effect of which industrial operations may suffer serious and lasting injury and the welfare and peaceful government of the country be imperilled.”

At the first meeting of the Councils of Conciliation and Arbitration under the provisions of this Act, held in Sydney, October, 1892, the President, Dr. Garran, explained the work which the council might be called upon to do. Later meetings were held, to which representatives of employers and employees were invited, in order to hear explanations of the purpose of the Act. Notwithstanding the efforts of those charged with the administration of the Act, it was only availed of in one or two cases, and ceased to operate two or three years later.

In the case of the Miners’ Strike at Broken Hill, attempts were made by employees to secure the submission of the matters in dispute to this tribunal, but without success. In July, 1893, the railway employees lodged a formal application with the Clerk of Awards under this Act, and preferred a request for arbitration

*The Labour Party, at the inception of industrial troubles, have repeatedly asked for a conference with a view of amicably settling the difficulty, as they have never been afraid to hold their side up to view, or to refer it to a Board of Conciliation or Arbitration, so constituted as to deal out justice to all concerned. But we have become sensible to the fact that this and many other reforms can only be obtained by the return of direct labour representatives from our own ranks to the various Houses of Parliament, who will demand legislation on behalf of the masses. By this means we hope the unemployed trouble will be overcome, and strikes and lock-outs only known in the history of the past.”—Introduction to Report of 1891 Congress.

as to wages and conditions of labour. The Commissioners intimated that they did not intend to agree to arbitration. Again, the Typographical Association desired that the question of wages should be submitted to the board, but the employers refused their consent.

Under the Act no provision was made for compulsory submission of a dispute to the board, nor even for the keeping of an award if one were made, and it became practically a dead letter; and, as already stated, it only remained on the Statute Book for a year or two, ceasing to exist when Parliament refused supplies for its administration.*

In Adelaide, provision was made for the consideration of matters in dispute in the boot trade, by a Board of Conciliation composed of representatives of employers and employees, which had been established in the 'eighties. This board was in existence for a number of years, and as late as 1893 succeeded in arranging a settlement in a dispute between the employers and employees.

In 1894, an Act was passed in South Australia to establish a Board of Conciliation, and a President was appointed. He was given jurisdiction to deal, by way of compulsory conciliation, with industrial disputes referred to the board. In the first case submitted to it under the Act, the employers refused to appear; but the board made the award on the evidence submitted by the employees. It is stated that the alterations to the Act made by the Legislative Council made its provisions inoperative. It was first introduced in the Legislative Assembly in 1890 by the Hon. C. C. Kingston, and was the original of all the later Arbitration Acts enacted in

*Another attempt was made by the New South Wales Government, in 1899, to frame an effective measure. The Conciliation and Arbitration Act passed in that year aimed at the prevention, as well as the settlement, of industrial disputes. It authorised the Minister, where a dispute was pending or probable, to direct inquiry as to the causes and circumstances of the difference. He was also empowered to take steps to get the parties together, under the presidency of a chairman, mutually selected, with a view to an amicable settlement. In the event of the failure of this step he could direct a public inquiry into the causes of the differences, or he could appoint a Board of Conciliation on the application of either party to the dispute. If both parties desired it, the Minister could appoint an arbitrator. Parties were not compelled to submit their cases, and the Act, like its predecessor, proved to be ineffective.

Australia, and was largely copied by drafters of these later measures.

In Victoria, legislation for the regulation of wages has followed a different line from that of the other colonies. In 1896, the Government introduced a Wages Board system of fixing rates of wages, hours and conditions of labour. It was originally enacted for the purpose of remedying the evils of sweating, which had been disclosed by the Royal Commission appointed to investigate the prevalence of these evils.*

The Factories and Workshops Act, in addition to providing regulations with regard to hours of work, registration, inspection, etc., also provided for the formation of Special Boards to fix the rates of wages and conditions of piece-work in various trades. As originally enacted, it was intended to apply only to certain trades in which sweating conditions obtained, though later amendments provided for its extension to trades other than those mentioned in the original Act. Originally the Special Boards were to be appointed by the Governor-in-Council and to consist of from four to ten members (half elected from the employers and half from employees in the trade concerned). The members of the board were to nominate some outside person as Chairman, but if no agreement could be reached by the board as to such nomination, then the Governor-in-Council had authority to appoint one. The board so appointed was to be charged to come to an agreement as to the rates or prices to be paid, and could also determine the number of apprentices or improvers under eighteen years of age who might be employed, and the minimum wage to be paid to them. This Act continued in force until 1890, when it was amended in certain particulars, and has since

*The Royal Commission, appointed in 1883 (see page 37), had recommended the establishment of Courts of Conciliation "to enable disputants to meet on equal terms; to limit the dispute to those concerned, and the decision to those who understand the merits of the case." The Victorian Government in 1891 passed an Act providing for voluntary establishment of councils of conciliation under licence from the Crown. No award made by such councils could be taken into, or enforced by, any court of law. This measure became law at the beginning of 1892, and has, therefore, the distinction of being the first legislative enactment of its kind on the Statute Books of Australia. It was never effective, being entirely ignored by all parties.

undergone various other alterations greatly extending its operations, though the general principles underlying the original Act remain. While originally passed for the purposes stated, its development has been along lines seeking the prevention of industrial disputes.

Under the provisions of the 1896 Act, five boards had been appointed up to the end of 1899. The Chief Inspector of Factories reported in that year that the average wage per week for all employees (including boys) in the bread-making trade had increased from £1/12/5 in 1896 to £2/0/6 in 1898. During the same period the average wage of males employed in the men's and boys' clothing trade increased from £1/15/3 to £1/19/6, and that of females from £1/3/3 to £1/7/7; the average for employees in shirt-collar making, from 14/5 to 15/3; and in the furniture trade from £1/9/7 to £1/16/-.

Since the federation of the colonies into one Commonwealth important developments in legislation for the purpose of fixing minimum wages and the prevention of industrial disputes have taken place. These will be dealt with in the next section.

(7) Trade Unionism at the End of the 'Nineties.

For some years after the financial collapse of 1893, Trade Unionism was, to a certain extent, under a cloud, and the membership of the unions at a low ebb. In the cities, manufacturing industries and building operations were either at a standstill or greatly curtailed, and there was a large surplus of unemployed labour. Any attempt on the part of the unions to resist the decrease in wages, consequent upon these adverse circumstances obtaining in almost all trades, resulted in failure; for if the members resorted to the strike method, their places were soon filled from the ranks of the unemployed. Nor were matters any better in the primary industries. The miners had to agree to substantial decreases in their rates of pay, and the attempt of the workers in the pastoral industry to resist similar reductions resulted in disturbances akin to those of 1891. The agreement arrived at between the Pastoralists' Association and the Amalgamated Shearers' Union in 1891 was continued. Shearing proceeded without trouble until 1894, when the former body gave notice that they would not continue

to abide by that agreement, and that all applicants for work at the various sheep stations would be required to sign a new agreement. One clause of that agreement was to the effect that, in the event of any dispute arising, the employer or his representative should be the sole judge, and his decision accepted as final. Later, the pastoralists in Queensland attempted to cut down shearing rates and the wages of shed hands. In May of that year, the Amalgamated Workers' Association asked for a conciliation conference with the Pastoralists' Association, but to this request the reply was received that such a conference could only be granted by the Federal Council of the Pastoralists' Association of Australasia. At the annual meeting of this association, in the July following, the Chairman referred to the federation which had been effected in the four colonies, and stated that men were signing the association's agreement freely. As in the case of the 1891 strike, serious trouble occurred and many arrests were made. It was during this time that the Peace Preservation Bill was introduced into the Queensland Parliament. A clause in this Act provided that the Governor-in-Council could proclaim any district as coming under the operations of the Act. In those proclaimed areas, firearms were only permitted to be carried under certain conditions and regulations, while another clause provided that any person suspected of acts of violence or intimidation, or who attempted to interfere with or disturb the maintenance of law and order, might be arrested without bail being allowed.*

In May of the following year the Australian Workers' Union issued a manifesto to its members, suspending the rules relating to agreements for the current season, but providing that members should maintain prices fixed by the union for each colony, and that branches be empowered to arrange local agreements with the pastoralists, provided that they did not involve any concession, with regard to prices or otherwise, over and above those already made by the council, such agreements to be submitted to the executive before being completed. When this manifesto was published in the "Worker," a general

*The maximum penalty for offences under this Act was six months' imprisonment, or a fine of £100. Reference has previously been made to this Act in this chapter.

meeting of dissatisfied members of the union was held in Sydney, at which a resolution was carried affirming that the executive had acted in a cowardly manner, had deceived the members, and that the executive had no longer the confidence of the members. The majority of the members, however, would seem to have been satisfied with the action of the executive on this matter.

During the next few years the unions of employees in the pastoral industry decreased in membership to a very large extent. The series of bad seasons which occurred about this period resulted in heavy losses of sheep, and consequently there was a surplus of labour available for the shearing offering. Shearing rates and wages of other employees in the industry reached a low ebb, and it was not until 1904, in which year the Amalgamated Workers' Association of Queensland and the Australian Workers' Union amalgamated, that a return to the membership of the early 'nineties was accomplished.

All through these bad years there had been continual disputes in the coal-mining industry of New South Wales, but in March, 1896, as the result of a ballot of the miners, the following circular was sent to the mine-owners:—

"I am directed by the miners' representatives to state that they are prepared to meet the proprietors in conference, on the 2nd April or earlier, to discuss an appeal for an advance, and the question of a general agreement, in the hope that some definite and satisfactory settlement may be arrived at, that will give permanent security to the coal trade."

No agreement was reached and the men went out on strike.

The ruling hewing rate at the time of the strike was 3/- per ton. The men were asking for an increase to 3/6 a ton, and the employers stated that as they went on strike they would only pay 2/8 a ton when work was resumed. A conference was arranged, at which the Premier of the colony presided, but the offer of the employers was not acceptable to the men. No agreement was reached, and the strike continued over a considerable period. In June the employers stated that they had decided to pay 2/10 per ton and to refuse to recognise

the Miners' Association in future. The employees were invited to return to work on these terms. In July, the Premier made a further attempt to secure a settlement. He held a conference with the employers, at which they agreed to increase the offer made to 2/11, on condition that work was resumed within ten days. This offer was accepted by the employees and the strike terminated. It will be seen that, in addition to the loss of wages sustained during the currency of the strike, the men returned to work under considerably worse conditions, both financially and as to recognition of their union, than when the strike commenced.

While there was some recovery in the general condition of industry during the latter half of the decade under review, this was discounted to a certain extent by the adverse seasons in the agricultural and pastoral industries. Nevertheless, there was a revival in all classes of manufacturing and in the mining industry. Prices of commodities reached their lowest level in 1894-5, and began to rise from thence onwards, and by the year 1901 they had recovered to the level of 1891. Wages, which reached their lowest level in 1895, also began to rise in 1896, and by 1900 were back at the level obtaining before the financial crisis. During the last few years of the century there do not appear to have been any serious industrial disputes. The unions, whose membership had reached a low ebb in 1895, gradually recovered their position in the following years, but were by no means strong enough, either numerically or financially, to engage in serious struggles such as had characterised the years 1886 to 1896. It would appear that, generally speaking, the employers had succeeded in enforcing the principle of freedom of contract, and that the increases in wages which occurred in the period 1896 to 1900 were secured as the result of peaceful negotiations between employers and employed. While the unions were weak, they were quietly but effectively building up their industrial and political organisations, which later succeeded in securing substantial increases in the number of direct representatives of Labour in the Parliaments of the colonies. With the beginning of the twentieth century, they had recovered the position they occupied ten years earlier, and were more efficient as a result of the lessons learnt in the defeats suffered during these years.

(8) The Last of the Inter-Colonial Congresses.

The eighth and last of the Inter-colonial Congresses of Trade and Labour Unions was held at Adelaide in September, 1898. The Adelaide newspaper, "The Register," referring to this congress, says:—

"It is to be regretted this congress has not attracted a better attendance of delegates from the other colonies. The reason given is the considerable expense involved by a visit to Adelaide that must extend at least for some days."

The Chairman of the congress, in his opening address, remarked with satisfaction that many of the points of the Labour policy which were still in a stage of debate when the congress of 1886 was held had since become law, in one or more of the colonies.

The agenda paper was the same as that submitted at the congress held in Victoria in 1891, with a few additions. There were eighteen delegates from unions affiliated with the Adelaide Trades and Labour Council; the Melbourne Trades and Labour Council sent four delegates, and the Ballarat Trades and Labour Council sent two. Other delegates present represented the Moonta branch of the Amalgamated Miners' Association, the Barrier branch of the New South Wales Political Labour League, the United Labour Party of Victoria, the Workingmen's Association of Port Adelaide, and the Eight Hours' Celebration Union. Labour bodies in Melbourne, Sydney, Brisbane and Perth wrote to the Adelaide Trades and Labour Council regretting that, on grounds of expense, they could not send representatives. A resolution was passed urging the Trades and Labour Councils to consider the desirability of raising funds to pay Trade Union organisers. Other resolutions were passed in favour of taxation of unimproved land values; free education from elementary school to university; amendment of Employers' Liability Acts; the establishment of a general weekly half-holiday; provision for payment of old age pensions; amendment of the Commonwealth Bill by the introduction of the initiative and referendum; improved accommodation for station and farm hands in cases where it is inadequate; the abolition of the contractor in all

Government and municipal work; further consideration of the boy labour and improver questions; amendment of the Coroners Acts, in the direction of permitting Trade Union officials, or persons appointed by friends or relatives of persons who had met their death by accident while following their occupation, to represent relatives at inquests, and for the more adequate remuneration of jurymen at such inquests.

The resolution on the eight hours' question was somewhat different from that submitted at previous congresses, and reflects the difficulty which had been experienced in New South Wales in framing an acceptable plank on this matter. It will be remembered that at a conference of the Labour Electoral League held in 1894 one of the subjects under discussion was the expediency of modifying the eight hours' plank. This was done by adding the words "where practicable," and the resolution at this congress was of a similar character. It reads:—

"That this congress is of the opinion that the time has arrived when more definite and united action should be taken by the Parliamentary Labour Parties in the several colonies to secure the compulsory recognition by law of the eight-hour system in all those trades wherein it has by experience been proved to be practicable."

The minimum wage question also came under consideration, and the following resolution on the matter was passed unanimously:—

"That the congress recommends the establishment of a minimum wage throughout Australia."

A recommendation was made that all resolutions passed by the congress which affected the legislation of the colonies, should be adopted by the Labour Parties of the different colonies as planks in their platform.

One other matter discussed at this congress remains to be mentioned, that of the Federation of Labour. A committee was appointed "to thrash out the subject of the federation of Australian labour." That committee reported that it was strongly of opinion that the subject was altogether too important to be dealt with by that congress, and suggested the calling of a separate congress for that purpose. The report was adopted,

and it was decided that such a conference should be held at Brisbane in the following May. During the discussion on the question, it was stated that in Queensland federation of labour was as nearly perfect as it could be, but that in the other colonies the movement had not progressed at all. It was also stated that the reason for the non-success or non-adoption of the proposal of the Ballarat congress of 1891 was that the representation of individual societies was so small. The society should be given a greater interest in the deliberations of any conference on the subject. Finally it was decided to ask each Trades and Labour Council to prepare a scheme of labour federation and to send three delegates to the conference in Brisbane.

This special conference was held in Brisbane in May, 1899, when three delegates were sent from each of the colonies of New South Wales, Victoria, Queensland, and South Australia. The meetings of the conference were held in private, but notes of the proceedings were supplied to the press, from which it appears that a scheme for the federation of inter-colonial labour organisations was agreed upon, and recommended for the acceptance of the various unions. The following were stated to be the objects of the federation:—

(a) To improve, protect, and foster the best interests of all classes of labour throughout Australasia.

(b) To secure direct Labour representation in the various Parliaments, and to promote and extend such reforms as will ensure social justice to Australian workers.

(c) To prevent, as far as possible, any strike or dispute between the members of the federation and their employers by conciliatory means, and by appeal to any recognised Board of Arbitration.

(d) To uphold the rules of all federated bodies and to ensure justice to all their members.

(e) To provide funds for the assistance of any federated union involved in a dispute, such funds to be used only after all conciliatory measures have failed.

(f) To secure a better advocacy of the principles and rights of Labour throughout the press, and, if deemed necessary, to establish journals for the promulgation and defence of all classes of Australian workers.

(g) To prevent the influx of coloured races.

In the event of the scheme as drafted being adopted by three of the colonies, the first Federal Council was to be held in Sydney in the October following.*

As has already been mentioned, this scheme was no more successful in securing approval from the unions than previous ones, and consequently the meeting of the Federal Council was not held.

(9) Conclusion.

In the foregoing pages the progress of the Trade Union movement during the nineteenth century has been briefly reviewed. We have seen that during the first half of the century Trade Unionism, as it is understood to-day, was practically unknown. Nevertheless the spirit of combination manifested itself in various ways, and attempts were made by workers in combination to improve their conditions or to resist attempts to make those conditions harder. These combinations of workers paved the way for the development of the movement in the second half of the century. There can be no doubt that, since the year 1850, Trade Unionism has had a considerable influence upon the welfare of the working classes. Established primarily to secure for their members the recognition of the eight hours' day, they gradually widened the scope of their activities, and by the end of the century they had become greatly extended. The years immediately following the gold discoveries saw the inauguration of many Trade Unions, but it was during the period from 1870 to 1889 that the greatest development took place. During those years of industrial prosperity, the conditions were favourable for the formation of organisations of this character. It was during this period also that the establishment of Trades and

*A copy of the scheme as adopted by this conference appears in the report of proceedings of the Commonwealth Trade Union Congress, 1907, and is reviewed in the Appendix.

Labour Councils and the holding of Inter-colonial Congresses led to a strengthening of the movement, by the consolidation of the united forces of that movement throughout the colonies. It did not prove possible, however, to secure the closer organisation which was recognised as necessary for greater efficiency. The legalisation of Trade Unions gave their members that freedom of action which was necessary for their progress, while the Parliamentary Committees of the various Trades and Labour Councils, formed as the result of action taken at the congresses, exerted a marked influence upon legislation affecting labour in the various Parliaments, and did much to assist the organisation of new unions. The last of the periods reviewed, 1890 to 1900, was one in which many changes occurred in the character and activity of Trade Unions. During this period they suffered defeats in their struggles with the combined forces of the employers, and were compelled to forego many of the advantages which they had secured under more propitious circumstances. The outcome of these experiences, however, was a recognition of the advantages to be secured from parliamentary action, and led to the formation of political organisations and the endeavour to secure direct representation of the Labour movement in Parliament, by members pledged to support the principles advocated by that party.

In spite of the great set-back the movement received during the period of financial stress in the early 'nineties, it quickly recovered with the return of more prosperous conditions, and at the end of the century might reasonably be said to have regained any loss it had sustained, and, in addition, to have learnt by experience wherein lay its weakness and its strength. After the foundation of the Commonwealth, many new and interesting problems presented themselves, some of which to-day are in process of solution.

(VI.) TRADE UNIONISM IN THE TWENTIETH CENTURY.

(1) General.

The opening of the 20th century coincided with the federation of the six States of Australia into one Commonwealth. Since that event, industry has made remarkable progress. In the early years of the new régime, disastrous droughts hindered the development of the pastoral and agricultural industries, but the effect of these soon passed away, as they were followed by a series of good seasons. The recuperative power of the land of Australia is phenomenal. The adoption by the Commonwealth Parliament of a fiscal policy giving protection to local industries, and the establishment of complete free trade between the colonies, now become "States," resulted in a great increase in manufacturing.*

These influences were reflected in the development of Trade Unionism, but there were two other factors which had a far greater influence upon that development. These were the alteration of policy adopted by trade unions in the 'nineties, leading to the very general abandonment of the rule which up to that time had precluded the active participation of many of the unions in politics, and the enactment of industrial legislation of an experimental character, which has been one of the main features of Australian Parliaments.†

While these developments have tended to increase largely the numerical strength of Trade Unions, and have provided greater scope for their activities, many other matters of industrial and social importance have occupied

*The number of employes engaged in the manufacturing industries of the Commonwealth increased from 197,783 in 1901 to 337,101 in 1913. (See Commonwealth Year Book, No. 11, p. 482).

†Both of these matters, but especially the latter, have received more than ordinary attention from investigators in this and other countries. The Bibliography given in the Appendix gives particulars of the principal publications dealing with these phases of development. The beginnings of both these factors, however, have been discussed in preceding sections, and it will be of interest to record their subsequent development.

their attention. The most important of these are also reviewed in the following pages.

The holding of Trade Union Congresses has been continued at irregular intervals, both in the Commonwealth and the States. The importance of these Congresses as a means of discovering, from the discussions and resolutions passed, the ideals and aspirations, of Trade Unions, as well as the steps taken to secure their realisation, cannot be over estimated, and consequently they merit more than ordinary attention.

It will be impossible to do more than briefly outline the principal features of the Trade Union movement and development in recent years. Many of the problems which have occupied the attention of Unions in the past are still in process of solution, while the war has added new and important ones.

(2) The Growth of Trade Unionism: Effect of Industrial Legislation.

We have already seen that the outcome of the disastrous Maritime Strike was a change in the attitude of workers and an alteration in their outlook upon the industrial situation. One result of this changed outlook was the formation of the Political Labour Party, which in some of the States had achieved a moderate amount of success in securing the election of pledged labour members, even before the inauguration of the Commonwealth. The great increase which has taken place in the membership of Trade Unions in recent years, however, was not so much due to this phase of Trade Union development as to the effect of industrial legislation. The intervention of the State in the regulation of conditions of employment was not new, as the passing of Factories Acts dates back in some States for a considerable period. It was not until the 'eighties, however, that legislation enacted for the regulation of wages and prevention of industrial disputes was first introduced in Australia. The history of the early attempts made by the various legislatures to introduce legislation which should be effective in preventing industrial unrest and dislocation has been given in the preceding Section.*

The Wages Board system of Victoria, already dealt with, has continued with slight modifications up to the present. In 1900 a Commission was appointed to inquire

*See page 120 et seq.

into the workings of the Boards and of legislation on similar lines in other States. The Commission reported adversely on the work of the Boards, and recommended legislation on the lines of the New Zealand Arbitration Act.* In spite of this recommendation, however, the Wages Board Act was re-enacted in 1902, but provision was made for appeals against the awards of the Boards to be heard by an Industrial Appeals Court created by the Act.

The system originally directed against sweated wages in a few industries, and confined to the capital city of the State, has now become a definite system for wage-fixing in almost any occupation, and has further been extended throughout the whole State.†

In New South Wales industrial legislation has proceeded on somewhat different lines. As already noted, voluntary Conciliation Acts had been passed on several occasions in the 'eighties and 'ninties, but had been found to be of no practical value.‡

The Act passed in 1901 was a compulsory Arbitration Act. It made strikes and lock-outs illegal, and punishable with heavy penalties except under certain conditions. It encouraged Trade Unionism and collective bargaining by providing that only organised bodies of employers or employees could approach the Court. Further legislation was enacted in 1908, 1909-1912, 1916, and 1918, but Parliament retained throughout the principle of compulsory arbitration as a last resort in case of industrial disputes.

The 1908 Act aroused much bitter controversy among Trade Unionists. Their attitude at first was one of hostility. The general feeling was that the 1901 Act with certain necessary amendments would be satisfactory to Trade Unions, and that there was no necessity for the Act as passed in 1908. The Sydney Labour Council, after consideration of this Act, advised Trade Unions to repudiate it. The first Trade Union Congress of New South

*Report of Royal Commission appointed to investigate and report on the operations of the Factories and Shops Law of Victoria. (Govt. Printer, 1903).

†The Annual Reports of the Chief Inspector of Factories for Victoria gives valuable information of the working of these Boards. Recently the present Chief Inspector, Mr. H. M. Murphy, published a book, "Wages and Prices in Australia," which deals with the economic aspect of this legislation.

‡The principle of conciliation was, however, again introduced in the year 1912, but it was auxiliary to the compulsory provisions.

Wales, which met in 1908, was primarily called by the Labour Council to provide an opportunity for a general discussion on this attitude. Congress was asked to endorse the stand taken by the Sydney Labour Council. A lengthy discussion took place upon a motion submitted by one of the delegates in the following terms:—

“That all Unions in the State be advised to ignore the Industrial Disputes Act; that no steps be taken by Unions to form Wages Boards; and that the method of the strike be relied upon as the only means of securing fair and reasonable conditions which Parliament has denied them.”

And amendment was moved:—

“That in view of the great difference of opinion that exists as to what the Act contains, and that the Sydney Labour Council drew up the circular submitted to the delegates before either the Legislative Assembly or Legislative Council had finally dealt with the measure, this Congress recommends that all Unions affiliated with the Council should meet, discuss, and find out the true contents of the new Act before being compelled to uphold the Council’s decision.”

An addendum to the amendment was moved as follows:—

“That this Congress affirms the necessity of an amendment of the Industrial Disputes’ Bill in the direction of securing a fuller recognition of the principles and rights of Unionism.”

Two members of the Parliamentary Labour Party, Messrs. McGowan and Holman, attended and were allowed to speak on this subject. They related the steps taken by themselves and their colleagues to secure alterations in the Act as it passed through the House, and both advocated the policy of making the best of the Act, and agitating for the amendment of those provisions which Trade Unionists objected to.

The amendment with the addendum was passed, but the Sydney Labour Council persisted in its advocacy of the policy of ignoring the Act. Eventually, however, the Council discovered that its advice was not being taken, and at a subsequent meeting, when the resolution was again moved in favour of this policy, it was defeated by

an overwhelming majority, and it was discovered that practically two-thirds of the Unions affiliated with the Council had given notice of registration under the Act.

At the 1909 State Congress attempts were made to secure the approval of the delegates to resolutions protesting against the mal-administration of the Industrial Disputes Act of 1908; in favour of a recommendation to Trade Unions registered under the Act to take steps immediately to cancel such registration; and calling for the repeal of this Act and the re-enactment of an amended Arbitration Act. After discussion upon these motions, further consideration was deferred, until a motion recommending the Sydney Labour Council to withdraw the embargo placed on Unions by the Industrial Disputes Act, was dealt with. This latter motion was defeated, and consideration of the motions adversely criticising the Act was continued. Eventually the original motion affirming the necessity for united action by all Unions with a view to protesting emphatically against the mal-administration of the Industrial Disputes Act was carried by a large majority.

The Report of the Director of Labour, State Labour Bureau of New South Wales, for the year ending 30th June, 1909, is in the nature of an apologia for the Act. He states:—

“The Act has already lived down the bitter hostility of a section of the Trade Unions, the majority of them having already applied for the appointment of Wages Boards to determine rates of wages and conditions of labour in their particular industries. The opinion is fast gaining ground in industrial circles that greater benefits are likely to accrue from the operations of the Act than could be expected from the methods of the strike. Strikes are rarely successful in obtaining all that is demanded, settlements being generally in the nature of a compromise; and that only after bitter suffering among the women and children dependent on the strikers. How different is the quiet and orderly process of reference to a Wages Board? No loss of work to employes, no dislocation to industries, and in the result, in most cases, better terms obtained than could accrue from a strike. Nor is this all. There are many of the smaller and less compact industries in which the operatives could

hope for nothing whatever from a strike, even if it could be brought about; for example, shop assistants, jam, starch, pickle and cardboard-box makers, with others of similar occupations have never found themselves strong enough to venture on a strike. But under the Act they are in as good a position and have equal opportunities with the largest and strongest Trade Unions.”*

There was a general similarity between the Acts of 1908 and 1901, and in both Acts the penalties for strikes and lock-outs were identical. Under the 1901 Act, however, preference to unionists had been granted in nearly every case where it was asked for, the Act specifically giving the Court power to grant it.†

In the 1908 Act, the Court was directed to hear “any claim that, as between members of a Trade Union and other persons offering labour at the same time, such members shall be employed in preference to such other persons, or that members of one Trade Union shall be employed in preference to members of another.”‡ But, in specifying the powers granted to Boards, the Act provided “that it shall not in any case be obligatory to grant any preference of the kind mentioned in sub-section (d) of the definition of “industrial matters” in Section 4 of the Act, and each claim under the sub-section shall be considered on its merits.”||

In 1909 the provisions in the 1908 Act, with reference to the penalties for participation in strikes and lock-outs, were made heavier. This was done in connection with the extensive Coal Miners’ strike, which took place in 1909, and to which reference is made on page 179.

Several new features were introduced into the 1912 Act. Provision was made for the appointment of Conciliation Committees, and, in addition, an Industrial Commissioner was to be appointed with authority to “require the attendance of any persons to meet in conference” under certain specified conditions. If unable to adjust the matter in dispute he could report to the Minister, who could

*See Report of the Director of Labour, State Bureau of Labour, N.S.W. Year ending 30th June, 1909.

†Section 36(b) Industrial Arbitration Act 1901.

‡Section 4(d) of the Industrial Disputes Act, 1908.

||Section 27 Industrial Disputes Act 1908.

then refer the matter to the Court for investigation and award.*

The Conciliation Committees were to consist of not more than two representatives nominated by the employers, and two nominated by the employees, with a Chairman either agreed upon by the parties, or appointed by the Minister. They were voluntary conciliatory bodies only, and had no power to make an award. Should agreement be reached, it could be registered under the Act. Several of these Conciliation Committees were formed in the Colliery Districts. Particulars of their operations are given in the various issues of the N.S.W. Industrial Gazette. While some of these committees appear to have been fairly successful in their efforts to secure industrial peace, others found that, in spite of their efforts, the workers who were supposed to be bound by the agreements arrived at, refused to be so bound, and continued to resort to the strike weapon.†

The New South Wales Government, in 1913, appointed Mr. A. B. Piddington, K.C., a commissioner to make a full inquiry on industrial arbitration in New South Wales. The Report presented to Parliament is a voluminous one, and of great interest. Doubtless subsequent legislation in this State has been based on the recommendations of this Report.

It will be impossible to review the course of legislation in the other States as fully as that of New South Wales and Victoria. In South Australia the Wages Board system was in force until 1912, but in that year compulsory arbitration and mediation were introduced. The Queensland Legislation was on the Victorian Wages Board lines until 1912. In that year was passed the Industrial Peace Act, which introduced legislation similar to that existing in New South Wales at the time. In Tasmania the Wages Board system was introduced in 1910. In Western Australia the Arbitration system has been adopted from the first. Provisions for the summoning of compulsory conferences of parties to a dispute to be followed, in the event of their failure to reach a settlement, by compulsory arbitration, are now included in the legis-

*A review of the work of the Industrial Commissioner for the years 1912 and 1913 is given in the N.S.W. Industrial Gazette 1913, Vol. II., pp. 808, et seq.

†See Vol. II. of the Industrial Gazette, N.S.W.

lation of all the States, with the exception of Victoria and Tasmania, and in the Commonwealth Act.

The first Federal Parliament which met in May, 1901, included in the proposed legislation which was to be brought before the House "measures for conciliation and arbitration in case of disputes extending beyond the limits of any one State," and such legislation was introduced by Mr. Kingston, Minister for Customs, in the following year. Mr. Kingston shortly afterwards resigned from the Cabinet because his colleagues refused to fall in with his suggestion that the Bill should apply to all seamen on ships engaged in the coastal trade. An entirely different construction was put on the Minister's resignation at the time, but some years later Senator Guthrie made public certain correspondence which showed that the cause of the resignation was as stated.* Mr. Deakin then took charge of the Bill. During the Committee stage an amendment was proposed bringing the railway servants of the States under its provisions. This amendment was carried though opposed by the Government, and the Bill was dropped for the time being. A General Election took place in December, 1903, and in the following session the Bill was again introduced by Mr. Deakin. Once more the Labour Party were able to secure a sufficient following of the direct opposition to carry the amendment mentioned above. Mr. Deakin then resigned office, and Mr. J. C. Watson was called upon to form the first Federal Labour Ministry. The amended Bill introduced by the Labour Government, in accordance with the promise of the Prime Minister, brought under its provisions the State railway servants and all other persons engaged in industrial enterprises carried on by State Governments. It further provided for the granting of preference to Unionists. This provision evoked considerable discussion, and eventually led to the downfall of a Labour Government. An amendment limiting the granting of preference to those who could prove to the Court that they really represented the industry concerned, was carried by a majority. Mr. Watson asked for a dissolution of Parliament, but this the Governor-General refused to grant, and Mr. G. H. Reid was sent for and commissioned to form a Government. One of the Acts passed by the

*Hon. C. C. Kingston sent the following wire to Senator Guthrie:—"Have resigned sooner than break my faith to you four, passed in the Queen's Hall." See "Co-operator," 7th October, 1912.

new Government dealt with Conciliation and Arbitration. With regard to the question of preference, a provision in the Bill as passed gave the Court Power to grant preference "other things being equal."*

It would be impossible within the limits of this book to review the proceedings of the various Arbitration and Wages Boards tribunals, nor does such review belong to a history of Trade Unions. The proceedings of the various Arbitration Courts may be found in the periodical records issued by the various departments, while much valuable information as to the working of the Victorian Wages Boards is given in the Annual Reports of the Chief Inspector of Factories.

This legislation has exercised a very considerable influence upon the progress of Trade Union organisation. In New South Wales, as we have seen, the first Act of 1901 encouraged the formation of Trade Unions, since only organised bodies of employes (or employers) could approach the Court. This led very naturally to a tremendous increase in membership of Unions in that State.†

With regard to the effect of Wages Boards upon Trade Union organisation, it should be observed that the workers in the different industries found it necessary to come to some common understanding as to whom they should elect to represent them on the Boards. This brought them together and generally resulted in the formation of Unions where such did not already exist. They found that the best way—and practically the only way—to combine in agitating for the formation of a Board was by organising, and the best instrument of organisation they found to be the Trade Union.

The Commonwealth Act, besides encouraging combinations of workers, did much to procure what the Unions themselves had previously failed to secure to any extent—the federation of Trade Unions having members in two or more States. Largely as the result of these aids to

*The clause was amended in 1910 by providing that, "whenever in the opinion of the Court it is necessary for the prevention or settlement of the industrial dispute, or for the maintenance of industrial peace, or for the welfare of society to direct that preference shall be given to members of organisations. . . the Court shall so direct."

†The secretary of one large union states:—"The factor that has led to the formation of fully 70 per cent. of the unions in Australia is as follows:—In New South Wales the passing of the New South Wales 1901 State Arbitration Act enabled workers to organise under the protection of the Act, and to appeal to the Court for improved conditions of labour and higher wages. . . ."

combination, the numerical strength of the Unions has increased at a very rapid rate, as the following table shows:—

Number and Membership of Trade Unions in Commonwealth at the end of each Year Specified, 1906 to 1919.

Particulars	1906	1910	1911	1912	1913	1914	1915	1916	1917	1918	1919
Total Number of Unions -	302	482	573	621	710	712	713	705	747	767	771
No. of Unions for which membership available	253	442	542	621	710	712	713	705	747	767	771
Membership of these Unions -	147,049	277,047	344,999	433,224	497,925	523,271	528,031	546,556	564,187	581,755	627,685
Estimated Total Membership of all Unions -	175,529	302,119	364,732	"	"	"	"	"	"	"	"

Commonwealth Bureau of Census and Statistics
Labour and Industrial Branch, Report No. 10, 1920.

At the 1909 Congress in New South Wales there was a disposition on the part of some delegates to make a distinction between those Unions which had been formed in order to take advantage of this legislation, and those which had not. The former were referred to as "law made Unions."

While the Unions have not been averse to using the various tribunals created for the regulation of wages and conditions of labour, they are by no means unanimous in their approval of them. The attitude of many of the unions is one of toleration rather than appreciation. The system is accepted and made use of because there is no other course possible without endangering their financial position. The frequency with which recourse is had to strikes, however, indicates that there is a strong disposition on the part of many Trade Unionists to revert to older methods for the purpose of enforcing demands or resisting oppression.

The fact that these tribunals, while raising nominal rates of wages, have not succeeded in securing any material advance in effective wages is probably one reason for the reluctance of the Unions to put their faith entirely upon them. This question of the effectiveness of increasing rates of nominal wages is one that has

**Unemployment and Nominal and Effective Wage Index-Numbers,
for the Years specified, 1901 to 1918. †**

Year	I. Nominal Wage Index- Numbers	II. Percent- age Unem- ployed	Rate of Wage Index Numbers allowing for Lost Time		V. Purchas- ing Power of Money Index- Numbers	Effective Wage Index-Numbers	
			III. Actual	IV. Recom- puted (1911 = 1,000)		VI. Full Work	VII. Allow'g for Unem- ploym't
1901	848	6.6	793	832	880	964	945
1906	866	6.7	808	848	902	960	940
1907	893	5.7	842	884	897	996	986
1908	900	6.0	846	888	951	946	934
1909	923	5.8	870	913	948	974	963
1910	955	5.6	901	945	970	985	974
1911	1,000	4.7	953	1,000	1,000	1,000	1,000
1912	1,051	5.5	993	1,042	1,101	955	946
1913	1,076	5.3	1,021	1,071	1,104	975	970
1914	1,085	11.0	966	1,014	1,140	952	889
1915	1,102	6.8	1,027	1,078	1,278	862	844
1916	1,184	6.7	1,105	1,159	1,324	894	875
1917	1,252	7.4	1,159	1,216	1,318	950	923
1918	1,296	5.5	1,225	1,285	1,362	952	943
1919	1,462	5.2	1,386	1,454	1,510	968	963

† As to the effect in abnormal periods, see Section IV.,
par. 3, of Labour Report No. 6.

exercised, and to-day is exercising the minds of many of the leaders of both employes and employers. The table on the preceding page, taken from Report No. 10 of the Labour and Industrial Branch of the Bureau of Census and Statistics, would appear to be almost conclusive evidence that to a very large extent increases in wages have been passed on to the consumer.

(3) Trade Unionism and Politics.

Just as Trade Unionism as a movement is far stronger in Australia than in any other country, so the success of the Labour Party in politics and in securing Parliamentary representation, has been correspondingly greater. The events which led to the formation of a distinctly political party, as well as the scheme of organisation adopted by the various States, along with the platforms formulated, have been reviewed at length in the preceding Section. The only State which, to a certain degree, at any rate, combined the industrial and political functions in one organisation at the beginning of the century, was Queensland. In 1908 Western Australia also formed a branch of the Australian Labour Federation, which included political as well as industrial activities, but up to the present time there have been in the other States, two organisations, the one industrial in the form of Trades and Labour Councils, and the other political known variously as Political Labour Leagues and Political Labour Party Councils. Even in Queensland, under an organisation framed to cover both fields, it was found necessary to have a distinct political organisation. This was known as the Workers' Political Association. This dual organisation was considered advisable for two reasons. In the first place there were still many Unions which debarred the introduction of politics in their discussions. The chief reason, however, was that though Trade Unionism was gradually making progress and gaining increased numerical strength, there was, and is even to-day, a fairly large body of workers who are not connected with any Trade Union; who are either ineligible for membership or for whom no organisation exists. Under the organisation of the political movement as it is to-day and has been since its inception, these workers can, if they are sympathetic

to the aims of the Labour Party, enrol and work through that organisation. It is true that to a very large extent both these reasons are passing away. Trade Unionism now covers almost every description of manual and mental labour, and consequently the percentage of workers who could reasonably be expected to be eligible for membership, and for whom no appropriate Trade Union exists, or for other reasons are not members of such Unions, has gradually become less, but is still appreciable.* Further, the objection to political action on the part of Trade Unions has in most cases disappeared. Still the opinion of the great majority of the members of Trade Unions would appear to be that the time has not yet arrived when the dual organisation can be conveniently dispensed with. In all the States periodical conferences of these political organisations have been held, and are of academic interest. Their consideration, however, does not fall within the province of this review further than to show in a general way their effect and bearing upon the development of Trade Unionism.

The advantages to be obtained from periodical conferences of delegates from all the States which had been recognised in the industrial part of the Trade Union movement, and which dated from 1879, led to the holding of Interstate Congresses of the Political Labour Party. The first of these was held in 1901, the second in 1902, the third in 1905 at Melbourne, the fourth in 1908 at Brisbane, the fifth in 1912 at Hobart, the sixth in 1915 at Adelaide, and the seventh in 1918 at Perth.

At the third Conference, held in Melbourne in 1905, the following objective was adopted:—

(a) The cultivation of an Australian sentiment, based upon the maintenance of racial purity and the development in Australia of an enlightened and self-reliant community.

(b) The securing of full results of their industry to all producers, by the collective ownership of monopolies, and the extension of the industrial and economic functions of the State and municipality.

*In 1917 the percentage of male members of unions on estimated total of male employees 20 years of age and over, was 55.9. The corresponding percentage for females was 19.6. See Report No. 8 Labour and Industrial Branch, Commonwealth Bureau of Census, p. 13.

A resolution that the subject of protection be made a fighting plank in the Federal platform created a good deal of criticism and discussion, but was eventually defeated. The Conference appointed a committee to draft a platform, which is of interest, as the first Federal platform of the Labour Party. The planks of the "Fighting Platform" were:—

1. Maintenance of a White Australia.
2. Nationalisation of monopolies.
3. Old-age pensions.
4. Tariff Referendum.
5. Progressive tax on land values.
6. Restriction of public borrowing.
7. Navigation laws.
8. Citizen defence force.
9. Arbitration Act Amendment.

The Central Political Executive of Queensland was charged with the duty of convening the next political Interstate Conference to be held in Brisbane in 1908. This body was further empowered to prepare and submit a draft scheme for the creation of an Australian Political Labour Executive and embody the same in the Agenda Paper for the next Conference.

It was at this Conference that the question of the appointment of members of the Cabinet in the event of the Labour Party obtaining a majority in the Commonwealth Parliament was dealt with by resolution as follows:—

"That this Conference recommends, in the event of the Labour Party obtaining the Ministerial Benches, the Labour Ministry should be recommended by the Party in Caucus."

The method advocated has been adopted by the Federal Labour Party when in power.

The fourth Conference was held in Brisbane, 1908, when the Queensland Central Political Executive brought forward a scheme for a Federal Political Labour Executive. The experience of the Queensland Trades Unions in this matter seems to have been a repetition of that met with in connection with the proposed federation of Trade

Unions. Though they carried out the request of the 1905 Conference and prepared a scheme in accordance with instructions, it was not adopted. It was not until some ten years later that such an Executive was formed.

At the fifth Conference, held at Hobart in 1912, the introduction to the report of proceedings states:—

“So great has been the progress in the national Parliament that the greater part of the platform constructed at the Brisbane Conference has been made law and placed upon the Statute Book of the Commonwealth. And so it was necessary that the Conference should make some advance in the direction of our objective by adding fresh planks to the platform in place of those accomplished. We have been able to place to credit (as planks made law) six important items, which in themselves are enough to make all followers of the movement feel a thrill of satisfaction at what has been done. We have heard so often that the placing of the Labour Party in control of the Government of Australia would bring along all manner of disasters that there were some who felt a bit uneasy. Now, after a couple of years’ experience, we find none of these terrible things happening, but on the contrary Australia has become increasingly prosperous, and we think our policy has contributed to this satisfactory stage.”

No alteration was made in the objective, but additional planks were added to the fighting platform dealing with Effective Federation, the New Protection, Commonwealth Freight and Passenger Steamers, General Insurance Department, and Commonwealth Sugar Refinery.

A proposal to create an Australian Political Labour Executive to be recognised as the administrative and appellate authority for the Australian Political Labour organisations was defeated.

The sixth Conference was held in Adelaide in 1915. While Conference was sitting, official confirmation was received of the accession to power of the Labour Government in Queensland. Thus Labour was at that time in power in five of the six States in Australia, besides hav-

ing substantial majorities in both Houses of the Federal Parliament.

The introduction to the Report of Proceedings recalls the fact that at previous Conferences in 1905, 1908, and 1912 the question of the formation of a Federal Executive had been discussed, but not finalised, but at the sixth Conference it was decided to immediately establish such a body.

The recommendation of a committee appointed to draw up the form of a Federal Labour Executive was discussed by the delegates and finally adopted as follows:—

1.—NAME.

The name shall be the Australian Political Executive, and shall hereinafter be referred to as the Executive. The recognised Political Labour organisations of the States shall hereinafter be referred to as State Executives.

2.—CONSTITUTION.

(a) The Executive shall consist of two delegates from each State to be elected in the first instance by this Conference, and subsequently by the recognised political organisations of each State in such manner as they may respectively deem fit.

(b) The first members of the Executive shall hold office until the termination of the first State Conference in their respective States.

(c) Seven members shall form a quorum at meetings of the Executive.

The constitution further provided for the functions of this Executive, particulars of meetings, and finances. The first Federal Executive was elected by the Conference, and the administrative machinery was approved, officers appointed, and some two months afterwards the first meeting of the Executive was held in Melbourne. Thus the first Federal organisation for the Political Labour Party was adopted some two years after a similar organisation for the industrial movement had been adopted.*

*See page 158.

The Political Labour organisations of the various States and of the Commonwealth have during the war, considered many matters relating thereto. The difference of opinion with reference to conscription caused a split in the Party and many other matters of policy are contentious subjects. The Political Labour Party which in 1915 was in power in five States and in the Commonwealth Parliament, is now in power in two States only. In the Commonwealth and several of the State Parliaments coalition Governments, composed of Labour members who were expelled or resigned from the Australian Labour Party, and of members of parties which had previously opposed Labour, are in occupation of the Government Benches. It remains to be seen whether, now that the war is over, the Labour Party will once again assume the supremacy in the Parliaments of Australia which it held before the above-mentioned split occurred.

(4) Trade Union Congresses and Closer Organisation.

A reference to the Section dealing with the question of closer organisation up to the end of the nineteenth century discloses the fact that no effective Federal organisation had resulted from the various discussions and schemes formulated. Efforts to secure such an organisation were continued after the inauguration of the Commonwealth, but though in 1913 a Federal Grand Council of Labour was established which in 1916 was re-organised, no organisation acceptable to Trade Unions in general had been effected. The subject was one that received attention at Trade Union Congresses, both State and Commonwealth. Probably one of the reasons for the failure to secure what must have presented itself to all Trade Unionists as highly desirable, has been the lack of co-operation and the presence of a certain amount of distrust and jealousy of each other among the State organisations. Another reason, as will be shown, was the inability of the Central Delegate Councils to control their constituent Trade Unions or to lead them to accept schemes of organisation placed before them. The chief reason, however, appears to have been the presence of apathy and a spirit of isolation with which many of the Unions surrounded themselves.

The most important discussions on this question

occurred at the Interstate Congresses. The first of these was held at Sydney, in 1902. At this Congress the question of closer organisation was introduced by Mr. A. Hinchcliffe, of Queensland, who, after pointing out that "they had been striving for years to bring about a Trade Union Federation," referred to the scheme drawn up by the Queensland Trades and Labour Council,* and which had been adopted by the Unions in that State. The resolution moved and adopted by Congress was as follows.—

"(1) That Congress, in the interest of the cause of labour, both industrially and politically, affirm the desirableness of establishing at the earliest possible moment a Federation of the Australian Labour Unions on such a basis as will secure unity of action in all matters of State and Interstate concern to the wage-earning community; (2) that, with this object in view, a committee consisting of one delegate from each State be appointed to draft a scheme and report to Congress."

During the discussion, it was urged by several of the delegates that the financial aspect of the question had in the past prevented such a step being taken, while one delegate stated that his Union had seceded from the Queensland branch of the Australian Labour Federation because it found the levies too heavy.

At a later stage the committee appointed brought forward their recommendation, a copy of which is given in the Appendix.

The adoption of these proposals was moved by Mr. A. Hinchcliffe, and seconded by Mr. W. G. Spence, M.H.R., by whom it was pointed out that the scheme "was both simple and inexpensive," and had been drafted "on the line of least resistance—a very wise proceeding." The Federal Executive provided for was elected by Congress, and consisted of one delegate from each of the States of New South Wales, Victoria, Queensland, South Australia, and Western Australia. (Tasmania was not represented at this Congress). Congress also adopted a lengthy preamble to the constitution of the Federal Council, a copy of which is included with the scheme given in the Appendix.

*See page 94, ante.

The scheme, however, fared little, if any, better than its predecessors, as the report of the next Congress indicates. This was not held until five years later, in 1907, and met in Melbourne. The President, in his inaugural address, stated that "one of the many important matters which they would have to deal with would be the appointment of a permanent Federation of Labour, to be representative of the whole of the States." It was pointed out by the Queensland delegates that the 1902 scheme had only been adopted by Queensland and Western Australia. While it is true that Western Australia had agreed to its adoption, it was not until the beginning of 1908 that it was actually put into operation. This decision had been come to at a Congress of Trade Unions held in September, 1907. So that in reality only Queensland had accepted the scheme, and as it was very similar to that already in force in that State, it is clear that the idea of closer organisation had advanced very little, if at all, as the result of the 1902 proposals.

Two resolutions were before the 1907 Congress, one suggesting that a committee be appointed to consider the 1899 and the 1902 schemes, and report to Congress as to which it considered to be the more suitable, while the other asked Congress to approve of the 1902 scheme with a recommendation that Congress should appoint an Executive on the basis, and with all the powers set forth in the scheme referred to. The majority of the representatives were in favour of the latter proposal, and it was adopted. Later an Executive was appointed consisting of one representative of each of the six States of the Commonwealth.

It is apparent, from the discussions at these Congresses, that the need for closer organisation was recognised by all the delegates. From 1884 on, when the subject was first introduced to a representative gathering of Australian Trade Unionists, the unanimity with which resolutions in favour of closer organisation were agreed to is remarkable. More remarkable still, however, is the failure on the part of these representative gatherings to evolve some scheme of organisation which would meet the need which so obviously existed, and which was so readily acknowledged. It would indicate that in the performance of a task, which, if accomplished, would have been of immense

benefit to the Trade Union movement, the leaders of that movement were for a very long time incapable of accurately appreciating the situation, or of properly understanding the limits to which the Unions were prepared to go to secure that closer organisation recognised as necessary.

The next Interstate Congress of Trade Unions was held in 1913 at Adelaide. One of the first items of business dealt with was the question of closer organisation. Again, a committee was appointed to draw up a scheme for submission to Congress—clear proof that the action taken at the Congress of 1907 had been no more successful than that taken at the 1902 Congress. The committee presented their report towards the end of the Congress proceedings. Mr. T. Ryan, of South Australia, in submitting it said:—

“The committee had considered the difficulties and conditions which existed in the Labour movement everywhere. It was composed of men who had grown old in unionism, and had prepared a scheme which had been adopted unanimously and with the utmost enthusiasm. That was something Congress might feel proud of, and every delegate was going back to his State earnestly desiring that the scheme for the formation of a grand Federal Labour Council might be endorsed there. This plan would go out bearing the seal of Congress. It was broad-based, and it secured for each and every State the fullest opportunity to carry into effect the great principles of democracy with which they were connected. The Conference had not endeavoured to transplant an oak tree, but it had planted an acorn, which would grow into an oak under which the workers could shelter in times of storm. Officers had been appointed to give effect to the scheme and to look after details until the Councils of the States had an opportunity to elect a more permanent executive. Each State had one representative on the executive. The President was Mr. T. Ryan, of South Australia; and the Secretary, Hon. E. L. Kavanagh, M.L.C., New South Wales.”*

*See Report of Proceedings, Inter-State Congress of Trade and Labour Councils, *The Daily Herald*, Adelaide, 1913, pp. 37-38.

The constitution of the Grand Council of Labour was very much simpler than any scheme previously considered, and would appear to have met with a far more favourable reception from Trade Unions than the earlier federation proposals.*

The Executive of the new body, the Federal Grand Council of Labour, met in the Trades Hall, Melbourne, in April, 1914. The secretary was directed to forward the decisions of the November Congress to the Federal Government, Federal Labour Party, and the affiliated Councils. The Executive further decided to request the State Councils to elect their representatives to the Grand Council in order that it could be called together if necessary.

A report of this first meeting of the Executive is given by its secretary in the following half-yearly report of the Labour Council of New South Wales, of which body he was also secretary. In addition to recording the steps taken by the Executive to carry out the instructions of Congress, he goes on to say:—

“In view of the fact that the establishment of the Grand Council has the endorsement of the whole of the Councils of the Commonwealth, it may well be said that the dream of years has now been realised. It is not claimed for the Council that it is going to do more than bring the Unionists of Australia closer together and establish uniformity of action in respect to all matters affecting the Trade Union movement and at the same time provide the machinery to handle and control Interstate disputes, if such control be deemed necessary and advantageous to the Unions affected. It does not claim to have the power either to cause or to prevent strikes, any more than the State Labour Councils or Federations can.”†

A meeting of the Federal Grand Council was held in April, 1915, when it was decided to ask the State Councils to consider the following propositions:—

- (1) That a Conference be convened of members of the Grand Council representing State Councils, District Councils and Councils governing Federal Unions, for the purpose of considering the advisability of

*See Appendix.

†Report of the Labour Council of N.S.W., June 30th, 1914, page 10.

broadening the constitution of the Grand Council to include the bodies mentioned, and thus establish an Australian Labour Council representative of all Unions and Unionists in the Commonwealth. (2) That Australia be represented on the proposed International Trade Union Congress to be held at the same time and place as it is anticipated the Peace Conference will be held upon the close of the present war.

Upon receipt of favourable replies from at least two State Councils, arrangements to be made by the Grand Council for the selection of a delegate. It is suggested that such delegate be elected on a plebiscite of all Unions.

The meeting also considered the question of the existence in Australia of two Unions covering joiners and carpenters and appointed a committee to draw up a scheme of amalgamation.

The Conference suggested was held at Hobart in May, 1916, and is described as an Interstate Trade Union Congress. The committee appointed to inquire into the question of dual organisation in the case of the joiners and carpenters is reported to have been successful in securing the amalgamation of the two Unions.

At the last Interstate Congress, convened at the instance of the Grand Council, the recommendations of that Council were considered, and a committee appointed to frame a draft constitution for a wider organisation. This committee reported the result of its labours and suggested a constitution which was adopted with slight modifications.* The 1916 constitution gave somewhat greater powers to the Grand Council than the one of 1913, wherein the powers of the Grand Council were confined to dealing with disputes extending, or likely to extend, beyond the limits of any one State, and with matters referred to it by the State Labour Councils. The duties of the Grand Council, according to the 1916 constitution, included, in addition to dealing with matters referred by State Councils, the administration of and giving effect to Congress decisions, "the performance of such acts as they shall

*See Appendix.

deem to be in the best interests of forwarding the objectives of this body.”*

The constitution also provided for a wider representation of Unions on the Grand Council, which body was given authority to summon Congress at such times as it might determine.

It should be observed that the representation of the Unions at these Federal Congresses was on an entirely different basis from that of the inter-Colonial Congresses held before Federation. Of the 21 delegates attending the 1902 Congress, 14 were representative of Central Labour Councils. In addition, the Coal Miners of New South Wales, Australian Workers' Union of New South Wales, Victoria and Queensland, Typographical Association of Queensland, and Railway Employees' Associations of Western Australia and Queensland were represented. At the 1907 and 1913 Congresses the representation was confined to State Labour Councils, but in accordance with the proposals of the Grand Council (see page 154) the representation at the 1916 Congress was somewhat wider.

In addition to the Interstate Congresses already described, there were, in some of the States, Congresses confined to representatives of the Unions in the State concerned. In New South Wales, Congresses were held in 1908, 1909, 1910, and 1912. The proceedings of these are of great interest, but as they generally cover much of the same ground as the Interstate Congresses, it will not be necessary to deal with them at any great length. In connection with the question of closer organisation, however, it is of interest to follow their development. At the first of these Congresses, that of 1908, an attempt was made to secure the adoption by Congress of the Preamble and Constitution of the Industrial Workers of the World (I.W.W.). As this Preamble attained much prominence at a later period in connection with the formation of the “One Big Union,” it will not be out of place to give it here. It reads as follows:—

“The working class and the employing class have nothing in common. There can be no peace as long as hunger and want are found among millions of working people and the few, who make up the em-

*Report of Proceedings, Interstate Trade Union Congress, 1916, page 16.

ploying class, have all the good things of life. Between these two classes a struggle must go on until all the toilers come together on the political, as well as on the industrial field, and take and hold that which they produce by their labour through an economic organisation of the working classes without affiliation with any political party. The rapid gathering of wealth and the centering of the management of industries into fewer and fewer hands, make Trade Unions unable to cope with the ever-growing power of the employing class, because Trade Unions foster a state of things which allows one set of workers to be pitted against another set of workers in the same industry, thereby helping to defeat one another in wage wars. The Trade Unions aid the employing class to mislead the workers into a belief that the working class have interests in common with their employers. These sad conditions can be changed and the interests of the working class upheld, only by the organisation formed in such a way that all its members in any one industry or in all industries, if necessary, cease work whenever a strike or lock-out is on in any department thereof, thus making an injury to one an injury to all. Therefore, without endorsing or desiring endorsement of any political party, we unite under the following constitution.”*

Congress, however, by a more than two to one majority, declared its preference for an amendment moved by the Barrier Branch of the Amalgamated Miners' Association, advocating the “federation of the whole of the labour organisations of Australia, with a view of ensuring industrial peace through united action.” The delegates from this Branch, whose preamble the Congress had accepted, came prepared with a scheme of federation which they named “The Industrial Workers' Federation of Australasia.” The members of the Congress, however, were not prepared to accept this off hand, but decided to forward the recommendations to the Unions for consideration.

*Official Report of the Trade Union Congress, Sydney, 1908, pp. 20-21.

At the next Congress, that of 1909, the secretary of the Sydney Labour Council reported the steps taken by his Council to carry out the proposals of the 1908 Congress. With reference to the matter of closer organisation, the report says:—

“Regarding the Federation of Labour, much has been done by the Sydney Labour Council to link up the Unions and to discountenance the existence of rival Unions following the same callings. Affiliation had been refused to several Unions on grounds that they could conveniently belong to Unions already in existence. Federation of kindred trades had been accomplished in several instances. The rules of the Council had undergone revision, making provision for the association of Unions beyond the metropolitan area; for the establishment of district councils; and for the creation of a supreme head, directing operations and exacting loyalty and discipline from all bound by ties of membership.”*

Another member of the Sydney Labour Council said:—

“When the resolutions decided upon at the last Congress were placed in the hands of the Labour Council they realised the only way to give effect to them was first and foremost to pave the way to a general federation of the Trade Unions in New South Wales. They therefore opened their constitution so that they could have every Union in New South Wales under the one banner. . . . When that federation was accomplished, then they would be able to do something. If this Congress was going to have another body to carry out those resolutions, they were going to have two head bodies of Unionism.”†

When the question of Federation was being discussed at this second Congress, two resolutions were before the delegates. One recommended the preamble and objects of the Barrier Labour Federation, a federation of Unions in Broken Hill, the other asking Congress to accept the altered constitution of the Sydney Labour Council as a sufficient basis for federation. It will thus be seen that

*Report of Second Annual Congress, N.S.W., 1909, page 56.

†Ibid., page 57.

the Sydney Labour Council had already begun to fear that if a scheme of federation was adopted, it would adversely affect its position as the ruling authority in Trade Unionism in New South Wales. The majority of the delegates were in favour of the Barrier motion in preference to that of the Sydney Labour Council. The discussion had not proceeded very far, however, before an amendment recommending the appointment of a committee to prepare a draft of a complete scheme of federation for the Trade Unions of New South Wales was agreed to. Later the committee brought forward a scheme for such a federation, which was considered and amended in several particulars. It was decided that the committee should continue in existence for such a period as they deemed advisable for the completion of the federation scheme, and report to the various Unions through the Sydney Labour Council.

This committee would seem to have done its best to secure the adoption of the scheme by the Unions, but they reported at the next Congress in 1910 that while they had sent the particulars of the federation proposals, as adopted by the 1909 Congress to no less than 130 Unions and industrial organisations throughout the State, only about a dozen replies had been received. The report continues:—

“In face of such a disheartening result, it seemed that little could be gained by attempting further, for the present, at any rate, to establish a federation of labour throughout the State, but they certainly ought to try and do something on a less comprehensive scale. Closer association was necessary, and it would be better to start in a small way than not to start at all.”

In view of this discouraging experience, it is not surprising that the only action taken at the 1910 Congress was the passing of the following resolution:—

“That Congress take some action to bring about a federation of Unions which are now divided into sections working in the one trade, calling, or occupation.”

Another Congress of Trade Unions was held in June, 1912. The most important matter under discussion was the proposal to bring about a federation of labour. After considerable discussion, it was decided to authorise the Congress Executive Committee to confer with the Executive Committee of the Labour Council with a view to bringing about a complete federation of labour by the co-operation of both bodies. These two committees duly met, and the scheme eventually adopted provided for an annual Congress, at which the Executive would be appointed, consisting of 15 members, who would have full powers in respect to the principles and policy of the Labour movement, and would be responsible only to the Annual Congress. This scheme was not looked upon at all favourably by the Labour Council as the only provision made for that Council was that it might become a District Council of the Federation, with no more powers than an affiliated Union. The attitude of the Labour Council was stated to be that "while not opposed to the idea of the underlying principle of the Federation of Unions, it preferred the Council as at present constituted to the scheme of Federation submitted."*

This Federation secured the affiliation of several Unions, though the reports of the Labour Council of N.S.W. show that it had in no way superseded that organisation. At the end of 1913 the Council reported that three Unions had left the Council and joined the Federation, but that two of them had since reaffiliated with the Council. At the Annual Convention of the Australian Workers' Union, held in January, 1914, a resolution was moved that the rules of the Australian Workers' Union be altered to permit of the affiliation of its New South Wales branches with the Labour Federation instead of with the Labour Council. During the discussion, it was pointed out that a larger Federation was in course of formation. After discussion, an amendment was moved and carried leaving to the discretion of the Executive Council of the Union the decision as to whether the southern branches should affiliate with the Federation of Labour, or any other body which purports to act for the industrial movement.

This matter was further considered by the Australian Workers' Union at a later period. (See page 173.)

*Half-Yearly Report, Labour Council of N.S.W., 30th June, 1913.

While it is true that in Queensland a Branch of the Australian Labour Federation (for many years the only branch), had been in existence from 1890, it is clear that many of the Unions in that State were not affiliated. The first Trade Union Congress in this State was held in 1910, the most important business discussed being the question of closer organisation. A recommendation was passed advocating closer organisation of Trade Unions in the metropolitan and country districts.

At the second Congress, held in the following year, the President (Mr. E. Theodore, M.L.A.) stated that a number of Unions had accepted the recommendations of the previous Congress, and had affiliated with the Australian Labour Federation, while a number of others were making the necessary alterations in their rules and constitutions in order to enable them to do likewise. He further stated that while the machinery provided by the rules of the Trades and Labour Council had suited admirably up to the present, he thought the delegates should push the movement further. A resolution, moved by the Typographical Association, shows that even in that State, which could boast of having progressed more than any other in the matter of closer organisation, it was by no means entirely satisfactory. The resolution was as follows:—

“That in view of the proposals for the Federation of Labour, although adopted unanimously by the 1910 Congress, not having been put into complete effect by Queensland Unions, the question be further discussed, and, if possible, the lines on which organisation should proceed be laid down.”

The Hon. A. Hinchcliffe, M.L.C., in contributing to the discussion on this subject, made some interesting references to the accomplishments of the Australian Labour Federation in Queensland. The following extract from his speech on that occasion throws light on certain activities of that organisation:—

“It was through that organisation that the first Queensland Political Labour Platform was formulated, and it also was through its instrumentality that the track was blazed for the establishment of Union-owned and Union-controlled Labour journals. This

example, the first of its kind, had since been successfully copied in other parts of the English-speaking world. Through the instrumentality of the 'Worker,' the first pledged Labour member was returned to the Queensland Parliament, at a by-election, and two years later 15 pledged Labour members were returned. The political organisations in the State had been materially assisted through the same agency. Those were facts which nobody could deny. Then, again, the only large industrial dispute of which the A.L.F. had had full control, had been successfully settled without recourse to a call-out—the famous Jondaryan non-union wool difficulty. The basic principle of Labour Federation was embodied in the A.L.F. motto, "Strength united is stronger." If it was necessary for workers in any particular calling to form a Union, it was equally necessary to have a Union of Unions. Close organisation was the only method for securing that entire unity which was so essential to success. Practically all the big strikes in Australia had been brought on by the independent action of the particular Union immediately concerned without reference to those other Unions upon which it depended for moral and financial support.**

The discussion disclosed the fact that the organisation of the Australian Labour Federation did not meet with the approval of all the Unions represented. The representative of the Railway Employees' Association proposed as an amendment to the resolution:—

"That it be a recommendation to the A.L.F. to alter its constitution so as to carry the principle of the solidarity of labour into active practice by supplanting the Federation with an Industrial Workers' organisation."

It is apparent that one of the reasons for the suggested alteration of its constitution was that it recognised and accepted affiliation from craft Unions, while the mover was in favour of abolishing craft Unions and having all organisation on industrial lines. Eventually Con-

*Official Report, Second Queensland Trades and Labour Union Congress. Worker Office, Brisbane, 1911, page 9.

gress appointed a committee to draw up a scheme of federation. That committee, after meeting and considering the question, made the following recommendations:—

1. That your committee recommends for acceptance the constitution and rules of the Queensland Provincial Council of the Australian Labour Federation as the best means for bringing about the federation of labour.

2. That all Queensland Unions, not now affiliated should join the A.L.F. not later than the first of October next in order that they may, at the Provincial Council meeting, to be held on the 16th October next, have an authoritative voice in making such amendments as may be desired.

3. That a District Council, representative of metropolitan Unions which have joined the federation, be established as from the 1st January, 1912, provided that there are six of such Unions so federated.

In June, 1912, the first conference of the Australian Workers' Union and the Amalgamated Workers' Association of Queensland, was held to consider the amalgamation of the two bodies. This was agreed to, and was finally ratified in January, 1913. At the second Annual Conference of the Queensland Association, held during the same month, it was stated that the A.L.F. had for some time been nothing but a body controlling the "Worker," and working with only one organiser. Delegates were appointed at this conference to attend the meeting of the Provincial Council of the A.L.F. with instructions to seek the abolition of that organisation, and the vesting of the control of the "Worker" in a Board of Management appointed by the Unions. At the meeting of the Provincial Council of the A.L.F., held in January, 1914, the first business was a statement by the secretary as to the result of the reference to the affiliated Unions of the proposed increase of the "Worker" dues from 3/- to 5/- per year. This had been agreed upon by the Annual Council meeting held at the beginning of 1913. The resolution embodying the terms of the proposed increase had been sent to all affiliated Unions, but no less than 11 had replied refusing to agree to the proposal and withdrawing their affiliation. Mr. E. C. Theodore, M.L.A., said that these

replies showed that the time had arrived when it was necessary to provide some substitute for the A.L.F. in the control of the "Worker." The A.L.F. had for many years been doing good and very useful work, but things had altered now, and it must give place to another method. The A.W.U. Conference, which had just concluded its sittings in Brisbane, had approved of a scheme for taking over from the A.L.F. the "Worker" newspaper, and he had much pleasure now in submitting the same for the consideration of delegates. The scheme, which embodied a set of rules and constitution for taking over and controlling the "Worker," was then discussed in detail, and after slight modification, was adopted.*

The meeting agreed to dissolve the Queensland Province of the Australian Labour Federation. The Trades and Labour Council, however, was revived, and many of the Unions which had formerly been affiliated to the A.L.F. became associated with this organisation. In 1919 there were 50 Unions affiliated with the Trades and Labour Councils of Queensland.

At the Fourth Annual Trades Union and Labour Congress of Western Australia, held in 1902, it was stated that, as the committee appointed by the previous Congress to go into the question of federation of labour had not met, no report could be made. At this Congress another committee was appointed to consider the advisability of effecting a federation of all Unions in Western Australia, to report to the next Congress.

No such report, however, was made at the next Congress, which met in July, 1905, but a committee appointed by that body drew up a constitution of an organisation to be known as the Political Labour Party of Western Australia. This organisation was, of course, on different lines from that suggested at the previous Congress, and was in fact the first step made by Western Australia in the creation of a distinct political organisation.

The next Congress was held at Kalgoorlie in 1907. Representatives were present from branches of the Political Labour Party, and from Trade Unions and Trades and Labour Councils. The Report of the Proceedings describes it as the Trades Union and Political Labour Congress.

*Official Report, First Annual Meeting of A.W.U. (Queensland Branch, Brisbane), Worker Newspaper Pty., 1914. p. 56.

A committee was appointed which drew up a scheme for the organisation of the Western Australia Division of the Australian Labour Federation, to be brought into force on the 1st of January, 1908. A copy of the constitution of this Federation is given in the Appendix.

At the next Congress, held at Bunbury in 1910—the Congress of the Australian Labour Federation, Western Australian Division—all the delegates represented District Councils, but with a few exceptions were members of Trade Unions as well.

Thus in two of the States, Western Australia and Queensland, there existed for several years a State Federation of Labour. In both cases the federations were political as well as industrial, being an attempt to combine in the one organisation, both the industrial and political branches of the Labour movement. The Queensland Federation was disbanded in January, 1914, when the Amalgamated Workers' Association of Queensland, which was the principal support of the Federation, amalgamated with the Australian Workers' Union.

In July, 1913, the United Trades and Labour Council of South Australia called a conference of Trade Unions in the hope of bringing about a better system of Unionism throughout the State. A sub-committee was appointed to draw up a constitution for a Grand Council of Trade Unions. The constitution, as drafted by this sub-committee, was discussed and altered in certain respects. The scheme, as finally amended, is given in the Appendix.

The objects of the Federation were stated to be the prevention of strikes by means of arbitration and other means, and also, where necessary, to finance any industrial trouble or lock-out; to deal with all disputes between Council and Unions; and to have the sole power of declaring a strike.

A provisional committee of 15 members was elected to carry on the initial work of the Grand Council. This committee met and elected its officers, but further than that there is no evidence that it was successful in accomplishing the objects set before it, or in securing the closer organisation aimed at.

Federation, while apparently impossible of realisation by Federal or State Congresses, was gradually, but still very effectively being accomplished by individual Trade

Unions in the various States. The industrial legislation of this period, in addition to enormously increasing the number and membership of Trade Unions, also incidentally hastened the closer organisation or federation of Unions. This is particularly true of the effect of the Commonwealth Conciliation and Arbitration Act. The necessity of proving that an industrial dispute extended over more than one State in order to secure a hearing before that Court led to the federation of Unions in the same calling or occupation, resulting in the formation of the many Federated Unions which are now in existence. Some indication of the extent to which this federation has attained is given by the statistics published in the Commonwealth Year Book. The following table gives the information for the year 1918.

**Number and Membership of Inter-state or Federated
Unions in the Commonwealth 1918.**

Particulars	Unions Operating in					Total
	2 States	3 States	4 States	5 States	6 States	
Number of Unions -	14	17	13	18	33	95
Number of Members -	14,709	35,885	58,376	95,042	265,135	469,147

The Membership of the 95 Unions included in the above table is
equal to 80.6 per cent. of the total Membership (581,755) of
all Unions.

In addition to the steps taken to secure more effective organisation of Trade Unions by federation throughout the States, there has been a significant movement in the direction of amalgamation in which the Australian Workers' Union has been the leading body. At the end of the 19th century the shearers and labourers in the pastoral industry of the Eastern States were united in the Australian Workers' Union. In addition, there was in existence the Rural Workers' Union, which included many agricultural labourers and workers in the fruitgrowing industry.

In Queensland, the workers in the agricultural and pastoral industry were united in the Amalgamated Workers' Association. The Australian Workers' Union has always been in favour of Arbitration, and has on several occasions appeared before the Commonwealth Arbitration Court. It was early discovered, however, that the Act, as originally framed, did not permit the registration of Unions covering groups of industries. The Act was amended by the Labour Government so as to include a provision for the registration of Unions covering the whole of one industry or groups of industries.

The first step towards the realisation of the "one big union" for all rural industries was taken in 1912, when a conference met in Sydney at which representatives were present from the Australian Workers' Association, Rural Workers' Union, Amalgamated Workers' Association (Queensland), Australian Carriers' Union, and Amalgamated Rabbit Trappers' Union. It was stated that the following questions had been submitted to eminent counsel for consideration and report:—

1. Whether the Australian Workers' Union can amend and extend its constitution to provide for the enrolment of all workers engaged in rural industries, such as pastoral, agricultural, horticultural, viticultural, dairying employees, rabbit trappers, wood cutters, cane cutters, navvies, carriers etc.—in short, all the workers in such varied rural occupations as may be grouped or linked together; and

2. Make provision for each section to have a certain measure of self government, subject always to the control of a Central Executive Council and an Annual Conference representative of the whole Union. If such can be done—(a) Can the Australian Workers' Union enter into such a scheme under the Commonwealth Conciliation and Arbitration Act? (b) Can it do so during the continuance of the present award? (c) Can the proposed organisation secure an award covering each sectional interest? (d) Can such Union register under the Trades' Union Act and the Commonwealth Conciliation and Arbitration Act?

The reply of the counsel was considered satisfactory. In the words of the President of the Conference, that opinion—

“practically admitted of the Australian Workers’ Union doing what it wanted to do, and showed the way it could be done.”

The first resolution adopted, affirmed the desirability of all Unions connected with country and other kindred industries throughout the Commonwealth being united in one organisation. After considerable discussion a scheme of amalgamation for submission to members of the bodies concerned was adopted in the following form:—

1. That the Australian Workers’ Union, Amalgamated Workers’ Association of Queensland, Australian Carriers’ Union, Rural Workers’ Union, Amalgamated Rabbiters’ Union, and such other organisations as may accept the scheme shall become one organisation under the title of the Australian Workers’ Union.

2. That the rules and constitution of the Australian Workers’ Union be amended to provide for the admission of the above organisations and for the management of the amalgamation.

3. That the contribution be £1 per annum for men, and 10/ for women; 5/- from each contribution to be devoted to Labour journals. Members to have a uniform ticket which will entitle them to work in any of the various industries embraced in the amalgamation.

4. That such measure of local self-government as may be essential to safeguard the industrial interests of each section be provided for, together with fair representation on such committees, councils, and conferences as may be necessary.

5. That after the several Unions concerned have decided to join the amalgamation, a conference of representatives of same shall be held to draft the necessary alterations or rules for incorporation in the rules and constitution of the Australian Workers’ Union.

It was decided that the subsequent conference of the amalgamation be held in the first week in the following January at Sydney. This conference was held “to finally set in motion the big scheme of amalgamation which had

been approved of by plebiscite vote of the Unions interested."

In addition to the Unions represented at the previous conference, the following Unions also sent representatives "seeking full information on the formation of the big union, and with a view of enlightening their fellow members." Federated Saw-mill and Timber-yard Employees, Fellmongers and Wool Sorters (Victoria) and Basil and Wool Workers (N.S.W.). After considerable discussion and consideration of a proposed constitution the conference appointed a committee to draft another constitution and report to the conference at a later stage. This was done, and the suggested constitution was placed before the delegates. After further discussion, the following motion was carried:—

"That Conference proceed to consider the A.W.U. constitution, and, as far as practicable, embody the suggestions of the committee in the proposed constitution."

The committee was authorised to continued its work and submit such proposed amendments of the A.W.U. rules as might be necessary for the proposed amalgamation. At a later stage the recommendations of the committee were considered and finality reached, it being decided that the amalgamation of the Australian Workers' Union, Amalgamated Workers' Association, Rural Workers' Union, Australian Carriers' Union, and Amalgamated Rabbit Trappers' Union should take effect from the close of the Conference, and that other Unions should be admitted to the amalgamation, subject to the approval of the Executive Council or the Annual Convention of the Australian Workers' Union.

In May, 1914, a conference of representatives of the A.W.U. and the Meat Industry Employees' Union was held in Sydney. It had been realised that the meat industry was organised and covered all occupations skilled and unskilled, within the industry. The Conference decided that to properly govern and control the interest of the members an extension and enlargement of the sectional rules already provided for by the A.W.U. constitution would have to be made. A plebiscite of the members of the various branches of the Australian Meat Industry Employees' Union was taken, the vote showing the

Queensland members to be almost unanimous in favour of amalgamation. A representative of the Queensland branch moved:—

“That this Convention authorises the Queensland branch Executive of the A.W.U. to meet the Executive of the Queensland branch of the A.M.I.E.U. with a view to completing the amalgamation in that State.”

There was opposition on the part of some delegates to this action being taken, and the secretary of the A.W.U. (Mr. Grayndler) moved:—

“That, in view of the position announced to this Convention by representatives of the A.M.I.E.U., further consideration of the question of the amalgamation be postponed until the whole of the Meat Industry through their Federation has finally determined it.”

When the matter was put to the vote, it was found that the delegates were evenly divided on the question, but on the casting vote of the Chairman, the original motion was carried, and the basis for an amalgamation for submission to the members of the A.M.I.E.U. was agreed upon.

In July, 1914, the Timber Workers' Union of Queensland joined the A.W.U. amalgamation, followed, in 1915, by the Railway Workers and General Labourers' Association of New South Wales, the United Labourers' Union of Victoria, and the General Workers' Union of Western Australia.

In June, 1916, the officers of the Federated Mining Employees' Association decided to issue a proposed basis of amalgamation with the A.W.U. for the consideration and vote of their members. In submitting these proposals, it was stated:—

“Your officers have carefully gone into this question (of amalgamation), and we are of opinion that the scheme, if adopted by members, will be workable and satisfactory, and in the best interests of our members, and for the advancement of the working class movement.”

At the Annual Conference of the Federated Mining Employees' Association, held in June, 1917, it was decided to complete affiliation with the A.W.U.

The arrangement under which the amalgamation was effected in the various States is interesting.

In Western Australia, the Federated Mining Employees' Association became an industrial branch of the A.W.U. with complete local control over all matters connected with mining, governing themselves practically as before the amalgamation.

In Victoria and New South Wales, the members of the Miners' Union were attached to the State branches of the A.W.U. but a mining department of these branches was established. In South Australia an Industrial section of the A.W.U. was formed, with local autonomy practically as before amalgamation.

In Tasmania, a separate branch of the A.W.U. was established to include all classes of workers, including miners, such branch creating sections, committees, etc., for the satisfactory working of the branch.

In connection with the New Zealand strike at the latter end of the year 1913, a conference of Australian Unions likely to be affected if the strike spread to Australia, was convened. Arising out of this Combined Unions' Conference, as it was designated, a suggestion was made that the organisation thus created should be continued on a permanent basis. Eventually a conference was held in May, 1914, to consider this suggestion, representatives from a large number of important unions being present.*

The scheme of organisation proposed a federation of Federations or Unions. The affiliation fee was fixed at £5 for each Union or Federation affiliating. The general control of the Federation was to be vested in the Annual Conference, and

*The Unions represented with approximate membership, were reported as follows:—Australian Workers' Union (70,000), Railway Workers and General Labourers' Association (12,000); Amalgamated Railway Traffic Association (12,000), Northern Colliery Employees' Federation (9,000), Federated Carters and Drivers (12,000), Federated Seamen (12,000), Southern Coal Miners (3,000), United Furniture Trades (2,000), Victorian and Tasmanian Coal Miners (1,000), Ship Painters (100), United Clerks (700), Western Coal Miners (1,000), Merchant Service Guild (2,000), Federated Marine Stewards and Pastrycooks (3,300), Newcastle Coal Trimmers (500), Newcastle Crane Employees (200). Thus the total membership of the Unions represented was approximately 142,000.

the general management in a Council of 12.* The main object of the Federation would appear to have been the determination by the Council of the action to be taken by the Unions federated in times of industrial disputes, as the following reference will show:—

“Every affiliated organisation shall, at the earliest opportunity, notify the General Secretary of the Federation of any dispute which may involve an industrial disturbance, or any proposed alteration of existing industrial conditions in the industry in which such organisation operates. The General Secretary shall make a record of all such matters in a special book kept for that purpose, and immediately on receipt of such notification, refer all such matters to the Council, who shall determine the course to be taken by the organisation immediately concerned, as well as by all affiliated organisations; and such decision shall be binding upon the organisation immediately affected, and upon all other organisations affiliated.

“No cessation of work or disturbance of existing conditions (which may involve an industrial dispute) by an affiliated organisation, shall take place unless, and until the matter has been laid before the Council, and the Council has so decided.

“In the event of any industrial disturbance, or dispute or alteration of industrial conditions in which any organisation or organisations not affiliated with the Federation are concerned, the Council shall take official notice of the matter, and shall discuss and decide the attitude to be adopted by the Federation, and every affiliated organisation, and no affiliated organisation shall act, or refuse to act, in regard to such dispute except as decided by the Council.”†

At the A.W.U. Convention in February, 1915, the question of affiliation with this Federation was considered by the delegates. The General Secretary of the Federation had forwarded a letter explaining the aims of the Federation and inclosing a copy of the constitution. It was

*Referred to by the opponents of the Federation as the 12 apostles.

†A.W.U. Amalgamation Conference, 1915, p. 20.

viewed in anything but a favourable light by the delegates, and the following resolution was passed:—

“That further consideration of the Australian Union Federation proposals be postponed for the present.”

Several of the delegates described the scheme as a cunningly devised scheme by a few wily politicians to hobble, bind, and shackle the Unions.

The Federation already referred to as having been evolved in New South Wales after the 1912 Congress of Trade Unions, had apparently lapsed, as all the members of the Executive of the Federation who could do so, went over to the new body—the Australian Unions' Federation.

The Labour Council of New South Wales opposed the formation of this Federation just as strongly as it had opposed the formation of the one in 1912. The members of that Council adopted the attitude that there was no justification for either of them, and that the Labour Council could, and did, fulfil all the requirements of the Trade Union movement.

This Federation, like its predecessor, was never effective, and has quietly, but nevertheless completely, disappeared.

What may be considered to be the preliminary negotiations with regard to the later developments known as the One Big Union movement occurred in the year 1915.*

It may appear to be somewhat peculiar that a period of nearly three years elapsed before any very definite outcome of these negotiations was apparent. It has to be remembered, however, that the leaders of Trade Unions were engaged in the controversy raging about the conscription question, and this may account for the delay. At any rate, there is abundant evidence that the idea of bringing the Unions into one big organisation was very prominently before the latter in 1915. In New South Wales, Victoria, South Australia, and Tasmania, steps were taken during that year to secure an alteration in the method of organisation. The significant difference between this and most previous attempts may be seen by comparing the various schemes outlined in the Appendix. To put the matter briefly, previous efforts had been directed to the

*At the 29th Annual Convention of the A.W.U., held in January, 1915, one of the rules was altered so as to include among the objects of the Union: “To strive for one big union of Australian workers.”

federation of Unions,* whereas the latest development is in the direction of amalgamation.

The events, as recorded for the various States, are as follows:—In Victoria a conference of Unions connected with the Trades Hall Council of Melbourne was held in 1915. This conference appointed a committee to draw up a scheme of amalgamation. The committee had twelve meetings, and as a result of their labours, presented a scheme which recommended an entire reorganisation of the industrial bodies, grouped as nearly as possible in the various phases of industry which the members represented. The proposed name of the organisation was "The Organised Victorian Industrial Union of Wage-earners." Its objects were defined as follows:—

(a) To organise the wage-earners on an industrial union basis; (b) to publish a newspaper or newspapers owned and controlled by the Unions; (c) to establish a Friendly Society Department; (d) to secure more effective political representation.

The committee proposed the grouping of industries into 13 groups. The proposal included a provision for a Central Council to exercise complete authority over Unions, the Council to consist of not more than three representatives of each industrial department, elected on a proportional basis. A managing committee, representing each section of the industrial group, was to be appointed to deal with matters connected with such group. Each industrial group was to have jurisdiction over its own affairs, but was forbidden to formulate any industrial demands or declare a strike or come to any agreement or award without the authority of the Central Council.

A further conference of Unions was held some two weeks later, when two resolutions were before the meeting:—

(a) That the proposals for one big union, as set out in the circular under the headings, Name, Objects, Industrial Departments, Central Councils, Contributions, and Office, be endorsed.

(b) That the Conference, while affirming the need of closer organisation, declines to support the proposals of the sub-committee in their present form,

*The A.W.U. amalgamations are, of course, exceptions to this.

believing that the object in view will be best obtained by perfecting the organisation of the various industrial groups before proceeding to the formation of the Central Council.

Nothing definite was accomplished at this Conference, and a little later another Conference was called, which decided to forward the scheme as proposed by the sub-committee, and also a counter proposal on the lines of the amendment given above, recommending for the consideration of the Unions a scheme of federation instead of the original proposals. The new scheme differed from the old principally in regard to the degree of autonomy to be maintained by the various industrial groups. Instead of the Central Council controlling the whole of the Unions, and having the power to sanction a strike, the Council would have charge of only part of the funds, while the industrial groups would be permitted to conduct a strike so long as it was self-contained. In the event of its extending beyond the group, the Central Council would take complete control.

In Tasmania, towards the end of the year 1915 a committee was appointed to draw up a report on the question of closer organisation. This report was presented to the organisations concerned recommending the formation of a Tasmanian Labour Federation, whose object was to unite into one body the Trade Union Council and the Workers' Political League.

The first move in this direction in New South Wales came somewhat later than in Victoria. In June, 1916, a meeting of representatives of the leading Unions of New South Wales was held to further the idea of forming one comprehensive Union. A committee, representative of all industries, was appointed to draw up a skeleton constitution to be submitted to every Union, and a conference was called to accept, amend, or reject the proposal. At this second Conference, held in September, 1916, a resolution was passed as follows:—

“That this Conference affirms the principle of one big union for the whole of the workers of Australia, based upon industrial and Trade Union lines.”

The movement did not make any very great progress, probably for reasons already indicated, but the leaders combined quietly, and worked to secure the acceptance of the one big union amalgamation.

Mr. Beeby, Minister for Labour in the New South Wales Government, speaking in June, 1917, said:—

“It will be remembered that about a year ago an important conference of Trade Unionists was held in Sydney to further the idea of one big union. The men responsible for that gathering openly said that their object was to get the Unionists formed into a one big union organisation which, at any time, by the proclamation of a general strike, could stop all production and transport, and force from any Government in office whatever concessions were demanded. The work of organisation of this big Union had been going on ever since. The men at the head of this movement are in favour of direct action as against political action, and that demands made by the Grand Council of the Unions when completed, will be enforced by general strikes. With consummate skill the men who initiated this idea have got possession of the whole Labour movement.”

Whatever the foundation for this statement, it is certainly true that agitation must have been on foot, the leaders of the one big union movement quietly, but nevertheless surely, perfecting the organisation for propaganda work in favour of the principles which they advocated. The movement is of such recent date, and is still the subject of so much discussion and criticism on the part of Unionists themselves, that it is too early to pass any opinion as to the success or otherwise of the proposals; if one were to accept newspaper statements, it would appear that no stone is to be left unturned by the advocates of the movement in their effort to secure the adhesion of Unionists to the alteration in the form of organisation.

(5) Trade Unions and Industrial Disputes.

Commencing with the year 1913, the Labour and Industrial branch of the Commonwealth Bureau of Census and Statistics has collected particulars with regard to industrial disputes occurring in the Commonwealth. The in-

formation thus collected has been published in the various Quarterly Bulletins and Annual Reports issued by the branch. There were, however, during the years preceding the establishment of this Branch, several important disputes to which reference is necessary. These may be considered together with a few of the outstanding ones of later years. They include the Railway Strike in Victoria in 1903, the Broken Hill Strike of 1908, and the Strike of New South Wales Coal Miners in 1909; the Brisbane Strike of 1912; the Coal Miners' Strike of 1916; and the General Strike of 1917.

On the 8th May, 1903, at midnight, the enginedrivers and firemen employed by the Victorian Railways Commissioners left their engines. Traffic was for several days almost entirely at a standstill, a few suburban trains only being run. After two or three days the Commissioners were able to provide a modified service owing to the engagement of non-union labour and the utilisation of other labour available among the staff. The cause of the strike was an order issued by the Government that the Executives of the different societies of Railway employees should withdraw from affiliation with the Trades Hall, an order which most of the officers concerned refused to obey, and they were dismissed.

The Government of the day introduced an Act known as the Railway Employees' Strike Act 1903. This Act provided that strikers had ceased to be officers of the Railway Service, and had forfeited all pension rights or retiring allowances, and all legal rights previously secured to them by virtue of their position in the service. The Commissioners were given power, however, under the provisions of the Act, to reinstate strikers and restore their rights; also to permanently engage persons taken on during the strike and to promote non-strikers. No action could be held against the Commissioners for any loss or damage arising out of the strike.

The strikers were not long in discovering that they were hopelessly beaten. After nine days they indicated their willingness to return to work unconditionally. Even though this decision was made before the Act referred to was passed, the Government insisted on its being proceeded with. It was thus used largely as a means of punishing the strikers. While the majority of the men

were allowed to resume their former duties, they suffered through the operation of the Act. The effects of this decisive defeat was felt by the employees for several years afterwards. In quite recent years some of the employees have had restored to them the rights and privileges lost through the strike.

In connection with the mining industry at Broken Hill, the end of the year 1908 saw the completion of a two years' agreement which had been in force. This agreement was renewed with some minor alterations and concessions as to overtime, by all the companies except two. The latter announced a reduction in wages of 12½ per cent., which was resisted by the combined Unions, and, as a consequence, the two companies closed their works, thus throwing out of employment about 2,500 men. The action of the companies was regarded by the Unions as a lock-out, and in contravention of Clause 6 of the Commonwealth Arbitration Act, but Mr. Justice Higgins, before whom the matter was brought in January of 1909, ruled that the companies could not be prevented from closing down. The hearing of the Arbitration case, which commenced on February 3rd, 1909, occupied over a month, and the award was delivered on the 12th March. The award prescribed rates of wages and conditions of labour practically in accordance with the terms of the agreement which the companies had refused to accept. The companies had stated that they would refuse to re-employ certain men who had been prominent in connection with the dispute, and it was not until May, after a struggle extending over 20 weeks, that the lock-out ended. During the progress of this dispute several of the miners' leaders were arrested for alleged rioting.

At the Congress held in Sydney in 1909 consideration was given to the case of the leaders waiting trial in connection with the Broken Hill disturbance. A resolution was moved by Mr. Bowling, of the Newcastle Miners' Union, in the following terms:—

"That this Congress enters its most emphatic protest against the action of the authorities in changing the venue of the trial to Albury of the Unionists arrested at Broken Hill, and hereby pledges itself to do all in its power to prevent the maladministration of the law, and to secure justice to those arrested."

It was early apparent that this resolution would be strenuously opposed by many of the delegates present, not so much for what it affirmed as for its vagueness. The discussion left no doubt, however, as to the intention of the mover and his supporters. It was an attempt to pledge the Congress to the General Strike if other means failed to secure what they wished. Advocates of this step had no hesitation of avowing their intention to rely upon the paralysis of industry for securing the release of their fellow Unionists. The majority of the delegates, however, were unwilling to accept the point of view of the extremists. While willing to protest, and that most emphatically, against the arrest of their fellow Unionists, they were averse to pledging themselves to any further definite action. The moderates were in the majority, and, after further consideration in committee, the general strike resolution was defeated by 46 votes to 17. A letter from the combined Unions of Broken Hill, recommending united action on the part of Unions was read, but the only action taken by Congress was to advise the Broken Hill Unions of the resolutions passed by the Congress.

Mr. Tom Mann, the English Labour leader, was engaged as organiser for the Miners' Union during the strike. He was among those arrested, but was acquitted at the trial, along with Mr. Rosser, of the Amalgamated Miners' Association of Broken Hill. Three others received sentences to imprisonment for various periods.

Early in November 1909, a strike, involving about 9,000 miners, occurred at Newcastle in consequence of certain alleged grievances—a growing discontent with working conditions, the intermittancy of employment, and a consequential restriction in number of persons employed at the different mines. When this strike occurred, a Congress, known as No. 1 Congress, met about November 8th. Two officials of this Congress, the President and the Secretary of the Mount Kembla Lodge, waited on the manager of the Mount Kembla mine and told him they had decided to cease work until the grievances in the north were settled. Suggestions were made that all other Unions connected with the production, handling and transport of coal should come out in sympathy. Efforts were made to secure a settlement of the dispute, but without

success, the colliery proprietors refusing all requests for an open conference. It was in connection with this dispute that the 1909 amendment of the Industrial Disputes Act 1908 was made. This amendment provided for the heavier penalty of 12 months' imprisonment for any attempt to instigate or aid in anything in the nature of a strike or lock-out, or discontinuance of work in any industry. It further empowered police officers to enter buildings, by force if necessary, and to seize documents when there was reasonable ground for the belief that such buildings were being used for the purpose of fostering the continuance of a strike or lock-out. Where the strike or lock-out related to a necessary commodity (defined as including coal, gas, water, or any article of food, the deprivation of which might tend to endanger human life or cause serious bodily injury) the Act provided that meetings intended to foster such a strike or lock-out should be illegal, and persons taking part in such meeting liable to imprisonment for 12 months. Certain Union officials were arrested and charged with offences under this Act. It appears that some members of the men's Congress went to Bulli and made certain suggestions to the employees there. The judge, in passing sentence, referred to what these men had said according to witnesses at the trial, in the following terms:—

“‘Leave all your affairs to be managed by Congress,’ that is what it comes to. I am not quoting their words—‘then we may have a settlement of this strike. In the meantime stick together; do not strike; we will not call it that, but take six weeks’ holiday.’”*

One defendant, Mr. Peter Bowling, was sentenced to imprisonment for 12 months, and three other defendants to eight months. These sentences were reduced later by the New South Wales Government. Particulars of other prosecutions in respect to contravention of the sections prohibiting strikes and lock-outs in the 1901, 1908 and 1912 Acts, are given in the Industrial Gazette referred to (Vol. II.).

Finally, on the advice of the Union officials, there was

*See p. 64 of Judgment reported in N.S.W. Industrial Gazette, Vol. II., September, 1912.

a general resumption of work in the western mines at the end of December, 1909, and in the southern mines in February, 1910. The questions in dispute at the northern mines were referred finally for determination to a Wages Board appointed specially to deal with this dispute.

In January, 1912, occurred what was probably the first attempt since the Maritime Strike of 1890, to secure, by a general withdrawal of labour from all industries, a speedier settlement of the dispute in one industry. In the Maritime Strike, however, there would appear to have been only a partial introduction of this principle. What was done was to call out those industries which were asked to handle "black" goods. In the Brisbane strike of 1912 the policy of the Combined Unions' Committee was to bring about a complete stoppage of all industries. The cause of the original dispute was the refusal of the Manager of the Brisbane Tramway Co. (Mr. J. S. Badger) to permit the drivers and conductors of the trams to wear their Union badges. The object behind the wearing of the badge was, of course, to secure the enrolment in the Union of all the employees. By the general adoption by all Unionists of the wearing of the Union badge on all occasions, and while at work it would be easy to discover who were, and who were not, members of the Union. Several attempts were made to secure the withdrawal of the rule that the employees, during working hours, should wear no badge or emblem exposed upon their clothing other than that of the Tramway Company. The Tramway Union at length decided that its members should wear the Union badge on and after a certain date. When the men arrived at the cars on the day appointed they were ordered off and told to report themselves to the head office, which they did. An interview with the manager, Mr. Badger, followed. The men were informed they could go back to their cars, provided they did not wear the Union badges. The men refused to agree to the conditions, and a strike followed. Subsequently the matter was brought before the Queensland Labour Federation, and the action of the tramway men was endorsed. At a special meeting of the Federation, some few days later, a general strike was decided upon, and no less than 43 Unions responded by leaving their employment. It was thought that by paralysing trade and industry, pres-

sure would be brought to bear upon the State Government to take action. The Combined Unions' Committee set out to bring about a total cessation of industry. They issued permits for the transaction of necessary business and the delivery of food stuffs, and steps were taken to prevent any individual or firm doing business except under these permits. Not satisfied with their success in securing the withdrawal of all Trade Unions in Brisbane, they went further, and in response to an urgent demand from the Committee, the Amalgamated Workers' Association called out the whole of its members. The Report of the Second Annual Conference of the Amalgamated Workers' Association of Queensland, after relating the events leading up to decision to call upon its members to join in this general strike, says:—

“Unhappily the call out of the country Unionists beyond making an impressive demonstration, had little effect, and the men were authorised to resume work after six days.”

The Committee then attempted to secure an extension of the strike to New South Wales, but without success. A special meeting of the Sydney Labour Council Executive Committee was held on February 5th for the purpose of considering three requests from the Brisbane Strike Defence Committee:—

“1. That Council bring about a general strike throughout New South Wales, in support of the strike in Queensland.

“2. That Council charter a ship, load her with food-stuffs, man her with Union labour, and send her to Brisbane.

“3. That the Unions in this State subscribe funds to the best of their ability for the purpose of relieving the distress, and helping the Queensland Unionists.”

A member of the Brisbane Committee attended to urge the granting of these requests. With regard to the first the only reason put forward in support was that by such a move public opinion would so be aroused that the Federal Government would be forced to take action to bring the parties in dispute together by means of the Federal Arbitration Act. It was pointed out by the New

South Wales Executive that a strike in that State was unnecessary for the purpose stated, as the object could be achieved by any other branch of the Tramway Union in the Commonwealth submitting an affidavit setting out that they also desired the right to wear the Union badge.

As no other reason could be put forward in support of the request, the Executive unanimously turned down the proposal.

A sub-committee was appointed to consider the second proposal. After very little inquiry a sum of about £3,000 was guaranteed, but there was some difficulty in securing the ship. However, when the matter was again considered by the Committee the opinion was expressed that if it was decided to send a ship load of food for Unionists only, the Queensland Government would commandeer it just as the Wade Government in New South Wales commandeered coal from the miners' mines during the coal strike. On this ground the second proposal was also rejected. The third proposal was unanimously agreed to; in fact, as it was pointed out, the secretary had already despatched an urgent appeal to all Unions for funds. In addition to this a sub-committee of the Executive Committee was appointed to attend Union meetings in support of the appeal. It was stated that the Unions subscribed the sum of £1,814, through the Sydney Labour Council. The report goes on to say that one very regrettable feature of the struggle was the attempt of the Defence Committee in Brisbane to bring the Unions here out on strike in sympathy with them, after the Council by its Executive Committee had turned the proposal for a general strike down.* This pointed to the urgent need for the Federation of the various Councils or controlling bodies, and the creation of a Grand Council to direct and control all disputes of a Federal character."

The Government, through the Chief of Police, came to the support of the employers and endeavoured to prevent rioting and disturbance. Some 1,500 to 2,000 citizens were sworn in as special constables.†

*See Report of Labour Council of N.S.W., June, 1912.

†Among these was Mr. McLaren, the cricketer. The Annual Conference of the Australian Workers' Union, sitting at the time of the strike, carried the following resolution:—"That the Trades Hall Council in Melbourne be written to asking unionists not to patronise the test match with McLaren playing in it." The match was officially boycotted by many Labour organisations.

At an early period of the strike the Queensland Government applied to the Commonwealth Prime Minister (Mr. Fisher) for military forces to assist in keeping the peace. Mr. Fisher replied that he could see no reason or necessity for the intervention of the Commonwealth Government. Mr. Fisher was condemned by the Employers' Federation and employers in general for refusing this request. It was said, on behalf of the Queensland Government, that there was not enough military in Brisbane to deal with the outrages which they said were likely to be committed. The workers' representatives, on the other hand, maintained that there was no likelihood of any disturbances, and applauded the action taken by the Prime Minister. The strike was of short duration. The trams were soon able to run with a full complement of employees, comprising many members of the Tramway Union who accepted the terms of the management, while the places of those who remained out were taken by new men appointed by the management. A new and independent Union was formed among the employees of the Company and registered under the Queensland Peace Act. There was some criticism of the strike after it was over, even by Trade Unionists. A leader in the "Worker" pointed out the inadvisability of small organisations precipitating strikes before consulting other Unions or the Central Executive. This leader was adversely criticised at the following Conference of the Australian Workers' Union. One delegate said:—

"he had read the article with sorrow, believing that the workers were always right in the fights put up."

The question as to the wearing of badges by the tramway employees was not confined to Queensland alone. The Union was a federation with branches in various States, and was agitating in all the States for the right to display their Union badge. In some of the States they were allowed to do this, but in South Australia the men were refused permission. This brought the dispute under the purview of the Commonwealth Court of Conciliation and Arbitration. The President (Mr. Justice Higgins) ruled that members of the Union should be allowed to wear the badge if they so desired. All the respondents, with the exception of the Queensland Company, undertook not to

discriminate between members and non-members of the Union. In the award a preference clause was inserted applying to the Brisbane employees of the Union. This was the first and only time that preference has been granted by the Court. The clause inserted in the award was in the following terms, viz.:—

“As between members of the claimant organisation and other persons offering, or desiring, service or employment at the same time, preference shall, in the manner hereinafter specified, be given to such members, other things being equal.

“Before making the appointment, the company shall satisfy itself that the proposed appointee is a member of the association, or that there is no member of the association who is equally suitable for the appointment, apart from the fact of his membership.”

In the course of his judgment, the President said:—

“If I could find any other method of protecting the members of the association from the intimidation practised, I should use that method rather than do anything tending to restrict the company in the choice of employees; but the law provides me with no other means.”

The award of the Court in so far as it affected the Brisbane Tramways was subsequently quashed by the High Court, and the order for preference has been ineffective.

Though several subsequent attempts have been made to form a branch of the Australian Tramway Employees' Union at Brisbane, they have so far been unsuccessful, and the Union formed at the time of the strike (which is subsidised by the management) has continued in existence.

The dispute in the coal mining industry in 1916, to which reference has already been made, began at the end of October of that year. The matter in dispute was one of hours. The men claimed what is known as the “eight hour bank to bank” system of working. This was described to mean “eight hours reckoned from the time the first person working in a shift leaves the surface to

the time the last person working in the shift returns to the surface.”*

Not only were all the coal mines in the whole of the Commonwealth affected by this dispute, but the shortage of coal caused a serious dislocation in most other industries. Many vessels were laid up and the men paid off. Railway and tramway services were curtailed, and large numbers of factory workers were thrown out of employment through the closing down of factories on account of the shortage of fuel and power.

The Commonwealth Government issued very stringent regulations under the War Precautions Act, as to the use of coal and coke. The situation became most acute. It is estimated that in New South Wales 25,000 to 30,000 workpeople were idle for periods varying from one week to a fortnight; in Victoria approximately 20,000 workpeople were affected, while several thousands were idle in Queensland, South Australia, and Tasmania.†

On the 16th November a compulsory conference, convened by the Prime Minister (Mr. W. M. Hughes), by regulations issued under the War Precautions Act, was held. The Government's proposals outlined at this Conference were submitted to the miners. They included the hearing of the case in Sydney before the President of the Commonwealth Arbitration Court on condition that the men immediately returned to work under the conditions which existed before the strike, and the acceptance of the decision of the Judge when given.

The majority of the men refused even to ballot on this matter, and another compulsory conference was held on the 24th November, but with no better result.

After a conference, held on the 27th November, the Prime Minister decided to appoint a special tribunal under the War Precautions Act. Judge Edmunds was appointed Chairman, and regulations were passed conferring great powers on the tribunal in regard to the coalmining industry. The tribunal met in Sydney on the 29th November, and on the 30th Mr. Justice Edmunds made the following statement:—

*See Order No. 1, Coal Mining Board. Commonwealth Gazette, 8th December, 1916.

†Labour and Industrial Branch Report, No. 7, p. 509.

"The miners' representatives have undertaken that the men shall at once resume duty, and that those officials who are responsible for such work will get the mines into working condition in order that there will be a complete resumption of work by Monday next (4th December).

"The resumption of work is to be carried out on the eight hours' bank to bank principle, as claimed by the miners.

"Other matters in dispute have been reserved for further consideration, but in the meantime, the mines are to start work.

"The pecuniary loss involved in the arrangement, as far as the owners are concerned, is to be a matter for further consideration. These minor questions will be immediately dealt with."

On the 8th December the first order of the special tribunal was gazetted. The decision with regard to the eight hour bank to bank system was stated as follows:—

"That eight hours' bank to bank, inclusive of one half-hour for meal time, on Monday, Tuesday, Wednesday, Thursday and Friday, and six hours' bank to bank inclusive of one half-hour for meal time on Saturday, Sunday and holidays, shall constitute a full working shift in all coal and shale mines in the Commonwealth."

A further regulation issued increased the rates for miners and all customary rates by 15 per cent., while other classes of labour received increases of 20 per cent.

A most important feature of this tribunal was the power granted and exercised, to increase the price of coal in order that the owners of the mines might be recouped for the loss sustained by the shorter working hours and the increased rates of pay.

One other industrial dispute remains for special consideration—that which occurred in the latter half of 1917, commencing in New South Wales, but which rapidly spread throughout the Commonwealth. The cause of the strike was the objection on the part of certain employees of the New South Wales Railways to the introduction of a "Card system" into the Randwick Tramway Workshops. At a meet-

ing of the employees at these works, held on the 27th July, a resolution was passed declaring that the members of the Amalgamated Society of Engineers were not prepared to agree to the introduction of the system. The reasons given for this decision were that the employees believed that under the system they would be subjected to speeding up, and that it was a system over which they could exercise no check, as the cards would not be open to inspection by them, and that the times occupied by employees in the performance of their work would be subject to serious error, which might act prejudicially to the men. A further reason given for the decision was that the Commissioners were pledged not to introduce innovations as between employer and employee during the currency of the war. The strike rapidly extended to other industries throughout the Commonwealth. Railway employees in other branches of the service, coal and metalliferous miners, seamen, waterside workers and others joined the strike in sympathy with the railway employees, while others, such as carters, storemen, etc., refused to handle "black" goods, and were dismissed in consequence. The disputes which followed on the action of the railway workshops' employees have been summarised and tabulated by the Commonwealth Statistician.* The result of that tabulation shows a total of 79 disputes directly associated with the action of the employees at the railway workshops. These disputes involved no less than 95,707 workpeople, who lost 3,982,250 working days at a cost of £2,233,000 in wages.

It is not proposed to attempt to give the full history of the strike, the events which occurred during its progress, or the negotiations for its settlement. Briefly, the record of the negotiations between the Government and the Unions is as follows:—

A defence committee was appointed by the Unions, which, on the 3rd August, offered the following proposals as the basis for an agreement:—

1. That the Railway Commissioners revert to the position, as it existed on 1st June.
2. That the Government appoint a Royal Commission to inquire into the subject-matter of the trouble,

*See pp. 121-123, Report No. 8 Commonwealth Bureau of Census and Statistics, 1918.

consisting of representatives of the Unions and of the Railway Commissioners.

3. That the men return to work upon the granting of this.

The Government refused to agree to these proposals, and adhered to the offer made, that if the members of the Society would continue working under the new system, at the end of a period of, say, three months, a full public inquiry would be made as to whether the change made by the Commissioners was working unfairly or being used for the purpose of speeding up.

Further proposals for the settlement of the dispute were made by the representatives of the Unions indirectly affected by the strike who interviewed the Ministers on the 9th August. These proposals were:—

1. That the State Government request Mr. Justice Edmunds to act as arbitrator, and to inquire into the whole grievance.

2. That in the meantime, the card system be suspended.

3. That on Mr. Justice Edmunds being appointed, all the employees return to work, or alternately,

4. That the inquiry be held while the men are out, the strike in the meantime to be no further extended.

These proposals the Government unhesitatingly refused to consider, and began to make arrangements for the acceptance of offers of assistance received from persons who concurred with the action of the Government and disapproved of the attitude of the Unions. Camps were established at the Sydney Cricket Ground, and other places for these "loyalists" as they were termed.

The next move came from the Unions' Defence Committee, which intimated that it was prepared to take a ballot to determine whether the strikers would accept the Government's offer or the proposals of the Defence Committee. This offer was regarded by the Government as unworthy of serious consideration.

On the 20th August the Unions' Defence Committee made further proposals for a resumption of work under a modified card system, conditional on there being no "victimization." The Government, however, declined to make

any modification, and further affirmed their decision to stand by the men who had entered the service after the commencement of the strike.

Efforts were made by the Lord Mayor of Sydney and Rev. Professor Macintyre, to bring about a settlement of the strike, but without success.

On the 6th September a project of official mediation and conciliation was launched by the Industrial Commissioner. Conferences which took place between that officer and representatives of the Unions' Defence Committee resulted in the adoption of a basis of settlement, which was accepted on behalf of the Unions concerned in the strike. The terms thus adopted, and subsequently endorsed by the Cabinet, were as follows:—

1. The card system, as existing on the 1st August to be continued, and at the end of three months a Royal Commission to be appointed to inquire into and determine whether its operations are just or otherwise, and should be continued.

2. In the operation of the card system every man shall, every day, have the opportunity of inspecting and initialling his card relating to the previous day's work.

3. Unions to submit full list of grievances to the special Commissioner for Conciliation appointed under the Arbitration Act of 1912.

4. Such of the grievances as raise issues which fall within the jurisdiction of the Court of Industrial Arbitration are to be immediately referred by or through the said Commissioner to the Court.

5. Such of the grievances as raise issues which are not within the jurisdiction of the Court are to be referred by the said Commissioner to Cabinet, which will immediately amend the Arbitration Act so as to give the Court jurisdiction over all matters which are industrial, but not matters of business management.

6. The Railway Commissioner is to have discretion in filling all vacancies, but in making appointments prior consideration is to be given to the claims of applicants who were in the service of the Commissioners on or before the 1st August last.

7. It is mutually understood that work shall be resumed without resentment and employment offered without vindictiveness.

It will thus be seen that the men had to accept the conditions laid down by the Government during the early stages of the strike. It is true that the objection to this card system (which the men had in the belief that their interests would be prejudiced because they would not know what particulars were being entered on the card), was met by the provision that they should have the opportunity of inspecting the cards every day. Further, the Government agreed to facilitate the hearing by the Industrial Court of any specific industrial grievances under which the men were suffering. The Government reserved the right to keep in employment those "loyalists" who had taken the place of strikers. With regard to the filling of vacant positions, the Railways Commissioner was granted the right to employ whom he chose, but undertook, before engaging outside workers, to consider the claims of men who were employed in the railway or tramway service on the 1st August.

It was not until the 19th September that the strike was eventually ended by the Amalgamated Society of Engineers, Federated Ironworkers, Moulders and Boiler-makers agreeing to sign application forms for re-employment.

It would be quite impossible to deal with all disputes which have arisen during recent years. In the New South Wales Industrial Gazette, Vol. IV., a comprehensive review is given of the dislocations which occurred from July, 1907, to December, 1913, in that State. Information is given of no less than 970 dislocations. Rejecting those in which a loss less than 100 days in the aggregate was recorded, the remainder of the dislocations amounted to 772 in number, involving 216,310 workers, and resulted in the loss of 3,371,389 working days.*

With reference to the causes of dislocations, the table on the next page shows, under the various headings, the number of dislocations and their causes from July, 1907, to 31st December, 1913.

*N.S.W. Industrial Gazette, Vol. IV., p. 1087.

Causes of Industrial Dislocations, 1907-1913, N.S.W.

(N.S.W. Industrial Gazette, Vol. IV., p. 1111).

Particulars.	Number.	Workers Involved.	Working Days Lost.
Wages	329	70,408	919,300
Hours	63	10,540	62,559
Employment of particular persons or classes of persons	159	35,725	408,976
Trade Unionism	42	3,964	68,124
Working Conditions	250	61,757	1,493,523
Sympathy	38	17,345	373,793
Miscellaneous	35	9,145	25,352
Not Stated	54	7,426	19,762
Total	970	216,310	3,371,389

It has already been stated that since 1913 particulars of industrial disputes occurring throughout the Commonwealth are collected, tabulated, and reviewed by the Labour and Industrial Branch of the Bureau of Census and Statistics, and the results published in the Quarterly Bulletins and Annual Reports of that Branch.

Industrial Disputes (involving Stoppage of Work); Number and Magnitude in the Commonwealth 1913-19.

Year	No. of	No. of Work-people involved Directly and Indirectly	No. of Working Days Lost	Total estimated Loss in Wages
1913	208	50,283	623,528	£ 287,739
1914	337	71,049	1,090,395	551,228
1915	358	81,292	583,225	299,633
1916	508	170,683	1,678,930	967,004
1917	444	173,970	4,599,658	2,594,808
1918	258	56,439	580,853	372,334
1919	460	157,591	5,652,726	3,492,936

The table on the preceding page shows for each State and for each of the years 1913 to 1919 inclusive the number of disputes, workpeople involved, working days lost, and the total estimated loss in wages.

(6) Conclusion.

In the preceding chapters of this section, the growth and development of the Trade Union movement from the inauguration of the Commonwealth to the present has been briefly reviewed. This account has been confined to the outstanding features of that development, and no attempt has been made to deal exhaustively with many of the problems which are still calling for solution. Probably the most pressing of these problems is the question of suitable organisation; whether that closer organisation which is admittedly badly needed, shall proceed on federation or amalgamation lines; and whether the basis of such organisation shall be craft or industrial unionism.

Another question upon which there is still much diversity of opinion is the relation between the political and industrial sections of Trade Unionism. As we have seen, various attempts have been made to unite the functions of the two sections, but, up to the present, without any marked success. The question of preference to Unionists and the methods of dealing with non-unionists has received much attention. While the last Labour Government was in power, absolute preference was granted to Unionists in the employ of the various Government Departments. Closely allied to the question of preference to Unionists is the provision for the Union label. The Commonwealth Government enacted legislation to provide for the use of a Workers' Trade Mark, or Union label, but the High Court ruled that this legislation was ultra vires the Constitution, as interfering with the rights of State Governments in the regulation of industrial matters.

The Labour Party, when in power in the Commonwealth Government, has, on several occasions, endeavoured by referenda to secure an alteration in the Constitution to give greater powers to the Commonwealth Govern-

ment with regard to the regulation of industry and the treatment of monopolies.

The introduction of daily and weekly newspapers, Union-owned and Union-controlled, co-operation in the manufacture and distribution of commodities, a further reduction in the daily hours of work, amendments of Factories and Shops Acts, regulations with regard to apprenticeship and the question of fixing prices of commodities in order to prevent "passing on"—these are all matters upon which much discussion has taken place, and which are still subjects of discussion whenever Trade Unionists gather for conference.

Perhaps the most promising field for further research is that covering an inquiry and investigation of the structure, functions, methods and regulation of Australian Trade Unions. It would be of interest, for instance, to analyse the reasons for, and the progress of, the change in attitude adopted towards the inclusion of benefit provisions within the scope of Trade Union activity.

Certain recent developments with regard to the desire of a section of Trade Unionists to secure control of the instruments of production in order that the worker may receive, as they put it, "the full fruits of his labour," and the attitude of the leaders of Trade Unions to the reconstruction proposals necessitated by the altered conditions arising out of the war, are matters upon which great diversity of opinion exists, even among Unionists themselves and which require to be fully investigated if the future of the movement is to be such as will result in the general uplift of the community as a whole.

APPENDIX.

In this appendix will be found particulars of the various schemes put forward at Congresses and Conferences of Trade Unions for the effective federation of unions.

While it is true that none of these schemes have been successfully carried into effect, a history of the Trade Union movement in Australia would be incomplete without the inclusion of a record of such efforts for the effective organisation of Trade Unions.

As will be seen, at some of the earlier Inter-Colonial Trade Union Congresses attempts were made to secure closer organisation of the unions, not only throughout the Colonies, but of the unions within each Colony.

(1) INTER-COLONIAL TRADE UNION CONGRESSES AND FEDERATION.

(a) **1884 Congress.**—Each trade to be recommended to amalgamate the several unions of the same trade under one head or governing body; each of the latter heads then to appoint representatives to a conference at which a Federal Council shall be elected, who shall watch over the interests of the whole, and deal with matters affecting the well-being of the working classes generally.

(b) **1885 Congress.**—A committee appointed for the purpose, drew up the following scheme for the Federation of Trades' Unions throughout Australasia:—

- (1) That in each colony each trade shall extend its organisation to the limits of such colony.
- (2) That each of such trade organisations, where practicable, hold an Annual Conference (of delegates from its Branches) in each colony.
- (3) At the above Conference a delegate or delegates be appointed to attend a Central Colonial Council of delegates from every trade, which shall meet at least annually.
- (4) Such Central Council to appoint a stipulated number of representatives on the Inter-Colonial Committee, which shall be recognised as the Federal Executive of the Australian Trades' Unions.
- (5) That every member of the incorporated trades contribute one penny per month, for the purposes of the Federal Executive.
- (6) The Federal Executive to take its instructions from, and be responsible to, the Annual Inter-Colonial Congresses.
- (7) **Representation.**—For every 4,000 members, or portion thereof, each Central Council shall send one representative.
- (8) That the necessary work for carrying all the foregoing into practical effect be left in the hands of the several Parliamentary Committees to be appointed.

- (c) **Fourth Congress, 1886.**—Action was confined to the passing of the following resolution:—

"That this Congress recommends that the various kindred trade and labour societies throughout the Australian Colonies and New Zealand take the necessary steps to federate as soon as possible, with a view to the general federation of labour in Australia."

- (d) **Fifth Congress, 1888.**—The following resolution was passed:—

"That this Congress, being convinced that federation is the only practical method by which labour can maintain and assert its rights, recommends:—(1) That the various societies be asked to communicate with each other on this subject; (2) That the various Trades and Labour Councils already in existence, and those which may hereafter be established, accumulate a fund for the defence of labour; (3) That the Queensland Trades and Labour Council draft a federal constitution, to be laid before every Trade and Labour Council in Australasia for acceptance, and report to next Congress.

- (e) **Sixth Congress, 1889.**—The draft federal constitution submitted by the Queensland Trades and Labour Council was not discussed at this Congress; instead the following resolution was passed:—

"That this Congress requests the various Maritime, Building and other Labour Councils to send a direct representative to its local Trades and Labour Council, with a view of more closely cementing all organised labour, and that the various tradesmen and labourers, not at present organised, be urged to do so immediately, and that all trade unionists be urged to give their utmost assistance to the latter in their efforts."

- (f) **1891 Congress.**—I have been unable to secure an exact copy of the Federation Constitution submitted by the Queensland Trades and Labour Council to the 1889 Congress at Hobart, but there is no doubt that in form and structure it was the same as that adopted by the 1891 Congress at Ballarat. The 1891 scheme may, therefore, be accepted as the model of the organisation of the Labour Federation, branches of which were formed in Queensland, New South Wales and Western Australia, but which is now in force in only one State—Western Australia.

Scheme of Federation Recommended by the Seventh Inter-Colonial Trades and Labour Union Congress, Ballarat, 1891.

Preamble.

It is desirable for the maintenance and furtherance of Unionism in Australasia that a definite federation of Labour Unions shall be instituted, which Federation, while leaving to each individual Union or local aggregation of Unions full self-government in their own particular affairs, will be a means for securing unity of purpose and action on all general matters and for facilitating the mutual co-operation of affiliated Unions whenever necessary for the common

welfare. With this end in view, the accompanying scheme of Federation is submitted by the Seventh Intercolonial Trades and Labour Congress, held in Ballarat, Victoria, to the Labour Councils and Labour Unions of Australasia.

Name.

1. The name shall be "The Australasian Federation of Labour."

Constitution.

2. The Federation shall consist of Labour Unions consolidated for mutual assistance and the furtherance of the cause of Labour generally, and shall be governed as hereinafter provided.

Objects.

3. The following shall be the objects of the Federation:—

- (a) To improve the condition and protect the interests of all classes of Labour throughout Australasia.
- (b) To discuss, consider, and put in force, when approved, any scheme for the better guidance and extension of Australasian Labour organisation.
- (c) To prevent, if possible, by conference or otherwise, any threatened strike or dispute between members of the Federation and their employers, and to endeavour by conciliatory measures to uphold the rules of any federated body; failing which, to provide ways and means for the maintenance of the Union involved.
- (d) To secure the direct representation of Labour in Parliament, and promote such legislative reforms as will ensure social justice to Australasian workers.
- (e) To secure a better advocacy of the principles and rights of Labour through the Press.

Payments.

4. Each and every affiliated Union shall pay to the District Council of the Federation under which it is governed the sum of fourpence per month for each one of its financial members, payment to be in advance, and to commence from date of admission. Of this fourpence, one farthing shall be paid through the Provincial Council to the General Council for its sustentation, twopence to a defence fund in each District Council, the balance to be apportioned for management and organisation purposes as may be decided by the respective Provincial Councils. Women's Unions shall be admitted to full affiliation upon payment of half the above dues. Provided that nothing in these rules shall prevent Provincial or District Councils from making such further financial arrangements for internal government as may appear to them necessary, so long as such arrangements are not in contravention of these rules.

Organisation.

5. For the purpose of facilitating the working of the Federation, its Unions shall be grouped into districts, governed by District Councils, the District Councils in each Province to be severally represented on a Provincial Council, which shall be the central authority for the said Province, and shall be subject only to the General Council of delegates representing the whole Federation.

General Council.

6. The General Council, which shall meet at least once in each year, shall be composed of one delegate from each District Council having not more than 5,000 members, and for every additional 5,000 members (or part thereof) one additional delegate. The General Council shall be invested with the following powers:—

- (a) To order a plebiscite of the Federation upon any question of amending, rescinding or making rules for the government of the Federation.
- (b) To elect or remove any of its officers (except the General President, General Secretary, and General Treasurer, who shall be elected by a plebiscite vote of the Federation).
- (c) To control the General Council Fund.
- (d) To decide all appeals against the decision of the General Executive.
- (e) It may institute legal proceedings on behalf of the Federation, and may direct the General Trustees to take legal proceedings against any officer of the Federation who misappropriates its funds.
- (f) It shall see to the carrying out of the objects of the Federation in strict accordance with the General Rules.

The expenses of all delegates to General Council meetings shall be defrayed by their respective Provincial or District Councils. The official seal of the Federation shall be attached to every document issued by the General Council, and no document emanating from the General Council shall be received or discussed by Provincial or District Councils unless the said seal is so attached.

General Executive.

7. The General Executive of the Federation shall consist of a General President, General Secretary, and General Treasurer, who shall be elected in February of each year by plebiscite of the Federation, and of the Provincial Presidents, who shall hold seats on the General Executive by virtue of their office. The powers of the General Executive shall be limited to the superintendence of the Federation in the interim between the meetings of the General Council. It shall take every means to secure the due observance of the rules of the Federation, to further its objects, and protect the funds. It shall direct the action of the Trustees, and be responsible for the rightful administration of the General Fund in accordance with the instructions of the General Council. It shall have power to summon special meetings of the General Council, when deemed necessary. It shall, on request from any Provincial or District Council, determine as to the interpretation of any general rule, or decide any matter on which the rules are silent. The decision of the General Executive in all such cases to be subject to appeal to the General Council, whose decision shall be final.

Special General Executive Meetings.

8. Any Provincial Council may, by a two-thirds majority, request the General Secretary to summon a meeting of the General Executive for the consideration of special busi-

ness, the nature of which shall be fully stated. Such meeting shall be held as speedily as possible after the receipt of the summons by the General Secretary, who shall, in convening the meeting, inform each member of the General Executive of the special business to be transacted. Should the General Executive, however, deem the business or object of the meeting frivolous, the expenses of such special meeting shall be defrayed by the Provincial Council, at whose instance it was summoned.

Provinces.

9. The Provinces of the Federation for the time being shall be:—The Northern Province, comprising the present colony of Queensland; the Eastern Province, comprising the present colony of New South Wales; the Southern Province, comprising the present colony of Victoria; the Central Province, comprising the present colony of South Australia; the Western Province, comprising the present colony of Western Australia; the Pacific Province, comprising the present colony of New Zealand; the Tasmanian Province, comprising the present colony of Tasmania; or such of these Provinces as may come under the jurisdiction of the Australasian Federation.

Provincial Councils.

10. Provincial Councils shall meet within four weeks prior to the General Council annual meeting, and at such other times as they may deem necessary. It shall be the duty of each Provincial Council to adopt by-laws dealing with its constitution and functions, always provided that such by-laws are in strict conformity with the General Rules of the Federation.

Provincial Executives.

11. The Executive Management of Provinces of the Federation in the interim between Provincial Council meetings shall be entrusted to such officers as may be instituted by the Provincial Council Rules, which officers shall be designated as Provincial President, Provincial Secretary, etc. Provincial Presidents and Provincial Secretaries, shall be elected by a plebiscite of their respective Provinces.

Organisation of Districts.

12. Districts shall be organised as may seem advisable to local affiliating societies, and shall afterwards be chartered by the General Executive upon the recommendation of the Provincial Council in whose jurisdiction they are situated. The Federation shall recognise only such districts as affiliated which are working under such charters.

District Councils.

13. District Council Rules dealing with their constitution and functions shall be framed by the respective Districts, but such rules must not clash with the General Rules of the Federation, or with the rules of the Province in whose jurisdiction Districts are located. District Executive Officers shall be designated as District President, District Secretary, etc.

Action on Disturbances.

14. In the event of a disturbance threatening an affiliated union, such union shall:—

- (I.) Endeavour to settle the dispute peaceably, failing which it shall submit its case to its District Executive, who shall act in conjunction with a committee of the union involved. This joint committee shall endeavour to settle the dispute in a peaceful and friendly manner; failing this, the District Council shall, without delay, bring the matter before the affiliated unions.
- (II.) In the event of emergency or trifling dispute, the District Council may decide, by a two-thirds majority, to take action in defence of the principles of the Federation without previously consulting the affiliated unions, but it shall submit its action to them with all possible despatch. Under ordinary circumstances, before taking action, the District Council shall place questions involving disputes before the affiliated unions, and shall be governed in its subsequent course by the decision.
- (III.) Before the District Council shall pledge its assistance to any disturbed union (excepting in the cases provided for by Section II. of this rule) it shall obtain the results of the voting in the various affiliated unions, the voting to be conducted according to the rules of such District Council; but in any case a majority comprising two-thirds of the votes cast shall be necessary before the Council shall pledge such assistance. Should the threatened disturbance show a likelihood of affecting any other District or Province, the joint consideration of the Provincial or District Councils interested shall be given it in accordance with the provisions of this, and the preceding section, and none shall act without the consent of the others affected. In the case of great emergency, a meeting of the Provincial Councils shall be called.
- (IV.) When it has been decided to financially support an affiliated union the District Council shall make arrangements for financial support to the extent of a sum not exceeding 20/- weekly for each financial member locked out or on strike, such support to be distributed as the union in question may think fit. Provided that in no case shall such support be given during the first week of any disturbance.
- (V.) Any decision of a District Council involving action shall endow that Council with the following powers of levy, unity and censure within its jurisdiction:—
 - (a) To levy a special contribution upon every employed enrolled member in its district.
 - (b) To strengthen the disturbed union or unions by securing in the name of the Federation the active co-operation of other unions in other Districts, and to take any other steps for ensuring the united action of workers which the urgency of the case may require.

- (c) To censure, in the name of the Federation, any corporation, firm, or individual whose conduct shall, in its opinion, show them to be unjust, cruel, or bitter enemies to labour; it shall communicate such censure where necessary to its Provincial Executive for general notification; and it shall be obligatory upon members of the Federation to give effect to that censure.
- (VI.) The powers provided in the preceding section shall be exercised only upon a two-thirds majority decision of a District Council which shall assume control of all disturbances in conjunction with the strike committee of the union or unions involved, and shall cease with the termination of the dispute.
- (VII.) The Federation reserves to itself the right of withholding assistance from any affiliated body entering upon a strike without having received the sanction of its District Council.
- (g) 1899. Scheme as drawn up by a Conference of delegates from State Trades and Labour Councils, such Conference having been suggested by the 1898 Inter-Colonial Congress at Adelaide.—This scheme of federation is almost exactly similar to that adopted by the 1891 Congress. The Constitution, Organisation, the arrangement of the Provinces, the action to be taken in case of industrial disputes, are the same in both cases. The objects of the Federation of 1899 includes all the planks of the 1891 Federation, and also additional planks providing for the establishment of funds for the assistance of any Federated Union involved in a dispute, and for the prevention of the influx of colored races. The plank dealing with the advocacy of labour principles through the press in the 1891 Federation is extended to include the establishment of labour journals in the 1899 Federation. The Representation on the Central Council—in one case described as the General Council—and in the other as the Federal Council, differ somewhat, as shown below:—

1891.
 1 delegate from each District Council for not more than 5,000 members.
 1 delegate for each additional 5,000 members, or part thereof.

1899.
 Provincial Councils to send delegates to the Federal Council.
 If from 500 to 2,000 members, 2 delegates.
 2,001 to 6,000, 3 delegates.
 Over 6,000, 4 delegates.

The General Council of the 1891 Federation was composed of delegates directly appointed by the District Councils.

In the 1899 Federation, District Councils sent delegates to the Provincial Councils, and the Federal Council was composed of delegates appointed by the Provincial Councils.

The Financial provisions were somewhat different. The Clauses dealing with this matter in the 1899 Federation are given herewith, and may be compared with those given in the 1891 constitution.

1899 Federation—Sustentation Fees.—Every Provincial Council shall pay to the Federal Council the sum of ½d. per quarter for every financial member existing at the end of their financial year.

Defence Fund.—Each affiliated Union shall pay to its District Council the sum of 2d. per financial member per month towards a Defence funds. The District Councils in the several Provinces shall control their respective defence funds.

One other difference may be noted. In the 1891 scheme the General Council was given power to elect or remove any officer except General President, General Secretary, and General Treasurer. In the 1899 scheme the Federal Council was given power to elect or remove any officer (no exceptions).

(2) INTER-STATE TRADE UNION CONGRESSES AND FEDERATION.

It will be seen that after the Federation of the Colonies there came a change in the ideas of Trade Unionists as to the method of organisation. The scheme adopted at the Congresses of 1902 and 1907 differs in many particulars from the earlier schemes adopted, as a perusal of the copy herewith will show. The preamble to the scheme adopted in 1902 indicates a desire to try a less elaborate and complex organisation and to endeavour to secure as the base of the Federation, representation from State Trades and Labour Councils—

- (a) **1902 and 1907 Congress—Preamble.**—Whereas previous attempts to bring about a federation of the Labour Unions of Australia having failed in part because of the elaborate and complex nature of the proposals submitted, but in the main because of the expense which acceptance of such proposals involved, the first Commonwealth Labour Congress, seized of the undoubted advantages which must follow on closer union as well as of the immediate necessity of taking some decisive step in that direction, has formulated and adopted the accompanying Federal Constitution. It will be observed that the Federal Council is to be established on the basis and in similar manner to the Congress just closed. Instead of pretending to accomplish the gigantic work of federating all the Labour Unions in each State, Congress aims for the present at the more moderate task of federating the various State Labour Councils and other industrial organisations to the exclusion of none, and all are linked together by the establishment of a Federal Executive representative of all the States, the especial duties of which Executive will be to keep up inter-communication with the States and to assist in the encouragement and fostering of the spirit of Federal Union, without which no constitution, however complete, will be of any practical value. As the affiliation fee has been fixed at the low limit of £5 per annum from each State, it cannot be urged that Congress is imposing undue financial burdens on union funds, nor can it be urged that either the powers of the Federal Council or the functions of the Federal Executive are of an excessive character; since

in the one case they are limited to consultation and recommendation, and in the other to administration and communication.

Recent developments, combined with the decisions of the conference of the Federated Employers' Union representatives in Melbourne during the month of November, emphasise the need, if the position so hardly fought and so proudly won is to be maintained and further victories achieved, for such a system of federation as will at least keep the Labour Unions throughout the Commonwealth in unity of thought and purpose. Therefore, your delegates in Congress assembled have taken the preliminary step, and in order that their decisions, arrived at after earnest deliberations, may have full force and effect, beg your loyal support and acceptance thereof.

Name and Constitution.

1. The central consultative and recommendatory authority shall be called "The Federal Council of the Australian Labour Unions," and shall consist of six delegates elected by and from each State, the delegation to be appointed in such manner as may secure the most complete representation of all Labour Unions. Each State to bear the expenses of its delegation.

Objects.

2. The objects shall be—(a) To strengthen and consolidate the Labour Unions throughout the Commonwealth; (b) To confer upon all matters of general concern to wage-earners; and (c) To promote and extend such legislative reforms as will secure justice to all.

Federal Council Sessions.

3. The Federal Council shall sit at such time and place as may from time to time be decided upon, and at least once in three years.

Special Sessions.

4. Special sessions of the Federal Council shall be convened by the Executive hereafter provided for, on petition signed by not less than five affiliated organisations, who shall pay the expenses of the special session if the business for which it has been called is deemed frivolous.

Sessional Expenses.

5. The expenses immediately connected with the holding of Federal Council meetings (whether ordinary or special) shall be divided equally amongst the various States composing said Council, unless as otherwise provided in the preceding clause.

Federal Executive.

6. The Federal Executive shall be entrusted with the management of the business of the Federation, and shall consist of a president, vice-president, secretary, and three others, all of whom shall be appointed by the Federal Council at its ordinary session. The functions of the Federal Executive shall be limited as follows:—

- (a) To the carrying out of the instructions of the Federal Council.
- (b) To keep in touch with the various State Labour Councils and other affiliated Unions represented on the Council.

- (c) To conduct all such ordinary business as may arise in the interim between one Federal Council session and the next.
- (d) To convene ordinary and special sessions of the Federal Council in accordance with Rules 4 and 5.
- (e) To endeavour to supply, on application from any State Council, information respecting the condition of the labour market and collect Trade Union and industrial statistics.
- (f) To arrange for the preparation of official reports on the position of the industrial and political movement in each State for presentation to the ordinary session.
- (g) To avail itself of every opportunity to foster and encourage the spirit of federal union.

Affiliation Fees.

7. To defray the expenses of management, an affiliation fee of £5 from each State shall be forwarded to the Secretary not later than the 31st January of each year.

Alteration of Rules.

8. These rules, being only of a tentative nature, shall come up for consideration, and, if necessary, amendment at the first Federal session.

Recommendations.

That in order to give immediate effect to the foregoing proposals, this Congress shall elect the first Executive, to hold office until the ordinary session of the Federal Council.

That in the election of members of the first Federal Council each State shall vote as one electorate, giving to each Union affiliated with the Federal Council either directly or through a Provincial or Trades Council or other similar central body one vote.

In respect to the advisableness of all relative trades consolidating and the establishment of an Interstate Labour Press, the importance of both of which is recognised, it is recommended that their consideration be referred to the proposed Federal Executive, and that they be instructed to submit a report thereon at the first Federal Council.

(3) INTER-STATE CONGRESS OF TRADES AND LABOUR COUNCILS.

Federal Grand Council of Labour.

(Adopted at Inter-State Congress of Trades and Labour Councils, Adelaide, 1913.)

Report of Committee Appointed to Devise Scheme for the Establishment of Grand Council.

Name.

1. The name of the Council shall be the "Federal Grand Council of Labour," hereinafter called the Grand Council.

Constitution.

2. The Grand Council shall consist of two (2) representatives from each accredited State Labour Council in the Commonwealth, and shall be governed as hereinafter provided.

Appointment of Members of Grand Council.

3. Members of Grand Council shall be appointed by State Councils in January of each year.

4. Alternate delegates may be appointed by State Councils, such alternate delegates to have same rights as ordinary delegates while acting.

Objects.

5. (a) To promote and protect the interests of organised Labour throughout the Commonwealth.

(b) To encourage the adoption of uniformity of action in all matters affecting the welfare of the Trade Union movement.

Executive.

6. The Executive Committee shall consist of and include the following officers:—President, two Vice-Presidents, Secretary, and two Trustees, who shall be elected annually by and from the Grand Council. Quorum to be two-thirds of membership.

Powers.

7. (a) To advise in respect to, and if deemed necessary by State Council, control or endeavour to prevent any dispute with employers extending, or likely to extend, beyond the limits of any one State.

(b) To deal with matters referred to it by the State Labour Councils, including disputes in connection with the line or demarcation to be observed by affiliated unions respecting membership and operations of such unions.

Sustentation Fees.

8. Each affiliated Council shall pay to the Grand Council the sum of £5 per annum.

Funds.

9. The funds of the Grand Council shall be placed in the Commonwealth Bank in the name of the Trustees, and shall be used for the purpose of carrying out the objects of Grand Council.

10. A properly audited balance-sheet, showing the receipts and expenditure for the previous twelve months, shall be submitted to the Annual Meeting by the Secretary, and subsequently to affiliated Councils.

Meetings.

11. The Grand Council shall meet annually at time and place to be fixed by the Executive.

Special meeting shall be convened by the President at the request of at least two State Councils or five members of Grand Council. Quorum to be two-thirds of membership.

12. This Grand Council shall be deemed to exist upon the adoption of the Constitution by three Councils, and remain in existence so long as three Councils remain affiliated.

13. Until the Grand Council otherwise provides, the duties of the officers shall be the ordinary duties appertaining to the respective positions of such officers.

Recommendations.

14. That officers to Grand Council be elected provisionally by Conference, such officers to act until otherwise provided by Grand Council.

15. The rules of this Council may be amended, rescinded or new rules made at any meeting of the Council, provided at least three (3) months' notice in writing is given to the members of the Grand Council of intention to move for such alteration.

(4) GRAND COUNCIL OF TRADE UNIONS OF SOUTH AUSTRALIA 1913.

Objects.

The objects of the Grand Council shall be—

- (a) To advance the cause of trade unionism in South Australia.
- (b) To bring about an effective consolidation of unionism.
- (c) To prevent strikes by arbitration or other means; and also, when necessary, to finance and control any industrial or other dispute.

Constitution.

The Council shall be formed from delegates nominated by the various unions affiliated with the Grand Council and elected by the unionists connected with such unions.

No union shall be represented by more than one delegate.

No member of Parliament shall be eligible as a delegate, and a member of the Council, on being elected to Parliament, shall have his seat on the Council declared vacant.

Its Duties and Powers.

1. It shall be the duty of the Grand Council to attend as early as possible to matters remitted to it by the various Trades and Labour Councils and affiliated Unions of the State.

2. It shall deal with all disputes between Trades and Labour Councils and between Unions.

3. It shall formulate and carry into effect a system of clearance between unions, and decide, when in dispute, as to which union a member shall belong.

4. It shall watch closely and take action when necessary regarding all proposed and existing legislation affecting the industrial and social conditions of trade and labour.

5. It shall have the sole power of declaring a strike, and may call out any union or individual members it may deem necessary.

6. When a lockout has taken place, it shall have the same powers as are provided for in the case of a strike.

7. It shall have power to establish a common fighting fund.

8. Before exercising powers declared under Clause 5, it shall summon representatives of all unions involved in any industrial dispute or threatened dispute.

9. In all matters its decision shall be final.

10. The sustentation fee shall be 2d. per annum per financial member of the affiliated bodies.

(5) AUSTRALIAN UNION FEDERATION, 1913.

Preamble.—Whereas modern economic methods tend more and more to the complete control of the means of production by powerful groups of capitalists, with the consequent complete dependence of the community upon these few;

And whereas the influence and power of capital, which is not confined to any one locality or any one industry or trade, already extends to the entire industrial sphere of countries and continents, and bids before long to embrace the civilized world in its octopus-like grip;

And whereas the interests of the workers are in grave danger from such causes;

And whereas under the present loose system of localised control of industrial organisation, a successful struggle against these combinations of capitalists is almost hopeless.

Therefore it is expedient and necessary that there should be a closing up of the ranks of Labour, irrespective of the industry in which the workers are engaged, or in the country in which they dwell, in order that the workers may present a united front to the capitalists, and by the power of concerted and well considered action, wage successfully the battle of humanity against the power of wealth.

Details of Scheme.

The Federation shall consist of federations and unions of employees associated together for mutual assistance, and for the furtherance of the cause of Labour generally, and shall be governed as hereinafter provided.

Any bona fide trade or industrial organisation of employees may, upon acceptance of this Constitution and Rules (subject to the approval of the Council), and upon payment of the prescribed fees, be admitted to the Federation.

Affiliating organisations shall pay annually in advance an affiliation fee of five pounds, and shall pay such per capita contributions from time to time as the Council shall decide to be necessary to give effect to the decision of the Federation. The general control of the Federation shall be vested in an annual conference, the date and place of meeting of which shall be decided by the Council. Representation at the Annual Conference, or in any special Conference, shall be upon the following basis:—

- (a) Up to 5,000 members, one delegate.
- (b) 5,001 to 10,000 members, two delegates.
- (c) 10,001 to 15,000 members, three delegates.
- (d) Over 15,000 members, four delegates.

The delegates representing each organisation shall be entitled to exercise collectively a number of votes proportionate to the number of members represented by such delegate. Provided that where any organisation is represented by more than one delegate, each delegate shall be entitled to an equal number of votes to which his organisation is entitled under this Rule. Provided also that no organisation shall be entitled to exercise more than one-third of the aggregate number of votes to which the affiliated organisations are entitled.

The general management of the Federation shall be vested in a Council of 12, elected biennially by the Conference.

Every affiliated organisation shall, at the earliest opportunity, notify the General Secretary of the Federation of any dispute which may involve an industrial disturbance or any proposed alteration of existing industrial conditions in the industry in which such organisation operates. The General Secretary shall make a record of all such matters in a special book kept for that purpose, and immediately on receipt of such notification, refer all such matters to the Council, who shall determine the course to be adopted by the organisation immediately concerned, as well as by all affiliated organisations, and such decision shall be binding upon the organisation immediately affected, and upon all other affiliated organisations.

No cessation of work or disturbance of existing industrial conditions (which may involve an industrial dispute) by an affiliated organisation, shall take place unless, and until the matter has been laid before the Council, and the Council has so decided.

In the event of any industrial disturbance or dispute, or alteration of industrial conditions in which any organisation or organisations not affiliated with the Federation are concerned, the Council shall take official notice of the matter, and shall discuss and decide the attitude to be adopted by the Federation, and every affiliated organisation, and no affiliated organisation shall act or refuse to act, in regard to such dispute or disturbance of industrial conditions, except as decided by the Council.

Any organisation may withdraw from the Federation by giving three months' notice in writing addressed to the General Secretary at the office of the Federation.

No organisation affiliated with the Federation may withdraw therefrom during any dispute, or pending dispute, in which any affiliated organisation is involved.

(6) INTER-STATE TRADES UNION CONGRESS, 1916.

Industrial Grand Council of Australia.

(Adopted at the Inter-State Trades Union Congress, Hobart, 1916).

Name.

The name shall be the Industrial Grand Council of Australia.

Objects.

- (a) To promote and protect the interests of organised Labour throughout the Commonwealth.
- (b) To encourage the adoption of uniformity of action in all matters affecting the welfare of the Trades Union movement.

Congress.

- (a) There shall be a triennial Congress composed of six delegates from each State whose authority shall be supreme. Congress may be summoned at such time as the Grand Council may determine.
- (b) Delegates to Congress shall be appointed within their respective States in such manner as the Grand Council may determine.

- (c) The time and place of Congress shall be determined by the Grand Council.

Grand Council.

- (a) The Grand Council shall consist of two delegates from each State. Metropolitan councils in each State shall elect one representative, and district councils voting as one body shall elect the second representative.
- (b) Grand Council delegates shall be elected in January of each year, and a quorum shall consist of a majority of the members.

Officers of Grand Council.

The officers of the Grand Council shall consist of President, two Vice-Presidents, Secretary, and two Trustees, who shall be elected annually by and from the Grand Council, and shall constitute the executive of the Grand Council, and they shall retain office until such time as successors are appointed.

Duties of Grand Council.

- (a) The Grand Council shall administer and give effect to the decision of Congress
- (b) From time to time, as occasion may arise, shall perform such acts as they shall deem to be in the best interests of forwarding the objective of this body.
- (c) To deal with matters referred to it by the State Councils.

Meetings of Grand Council.

The Grand Council shall meet annually at such time and place as the executive may decide, and at such other time as they may deem expedient. Special meetings of the Grand Council shall be convened by the President at the request of at least two councils situated in any two States, or five members of the Grand Council.

Sustentation Fees.

That the fees to be paid by each State shall be left to the Grand Council to apportion among the various councils as follows:—

New South Wales, £20; Victoria, £20; Queensland, £10; South Australia, £7/10/-; Western Australia, £7/10/-; Tasmania, £5.

Funds.

The funds of the Grand Council shall be placed in the Commonwealth Bank in the name of the trustees, and shall be used for the purpose of carrying out the objects of the Grand Council. A properly audited balance-sheet showing the receipts and expenditure for the previous twelve months shall be submitted to the annual meeting by the secretary, and subsequently to affiliated councils.

Duties of Officers.

Until the Grand Council otherwise provides, the duties of the officers shall be the ordinary duties appertaining to the respective positions of such officers.

Agenda at Congress.

That at least three months before Congress meets, the Grand Council notify affiliated unions that they can forward along business, and that every affiliated union has the right to send along business for the agenda paper.

(7) PROPOSED ONE BIG UNION.**Name.**

The name shall be "The Victorian Labour Union."*

The Organisation shall consist of actual wage workers brought together in Industrial Departments.

Objects.

(a) To organise the wage workers of Victoria on an Industrial Union basis.

(b) To secure improved conditions and achieve industrial democracy.

(c) To publish a newspaper or newspapers owned and controlled by the Union.

(d) To establish a Friendly Society Department.

(e) To secure more effective political representation.

Industrial Departments.

That the proposed Union shall consist of the following departments:—

(a) Building Trades.

(b) Mining.

(c) Transportation.

(d) Printing Trades.

(e) Agricultural and Pastoral.

(f) Boot, Textile, and Clothing.

(g) Wood and Metal.

(h) Shop, Office and Warehouse.

(i) Foodworkers.

(j) Public Entertainment.

(k) Public Service.

(l) Miscellaneous.

Central Council.

(a) That the supreme authority of the Union shall be a Central Council, which shall consist of not more than three representatives from each Industrial Department, elected upon a proportional basis.

(b) There shall be a Managing Committee of each Industrial Department, such Committee to consist of representatives from each section within the Department, elected upon a proportional basis.

(c) The members of any section within an Industrial Department shall elect a Committee to attend to the interests of such section.

(d) Each Industrial Department shall establish Branches of such Department where practicable. Where such Branches cannot be established, the Central Council shall establish mixed locals, each member thereof to be attached to the section and Department covering his occupation.

(e) That each Industrial Department shall have general jurisdiction over its own affairs, and shall not formulate any industrial demand, strike, agreement or award without the authority of the Central Council.

*There have been later developments in the movement, and at the time of writing (1921) an amalgamation of the One Big Union Scheme and the Australian Workers' Union is being considered, while the Transport Unions are balloting on the question whether they will join the Coal Miners' Union and the Australian Railways' Union, which have already decided to form the Mining and Transport Sections of the O.B.U.

(f) The local Industrial Branches shall be composed of all members in any Industrial Department in a prescribed locality. Its duties shall be to attend to local disputes that may arise, and report from time to time to the headquarters of its Department. It shall not enter a strike, agreement or award without the consent of the National Department.

(g) Mixed locals shall govern themselves in respect to purely local matters, but shall report all matters of industrial dispute to the Department concerned, and shall not formulate any industrial demand, or enter into a strike, agreement or award without the consent of the Central Council.

Contributions.

(a) Contributions, 20/- per year.

(b) Members not in receipt of a wage deemed equal to the minimum living wage for adult males, 10/- per year.

(c) Contributions shall be payable in advance by quarterly, half-yearly and yearly ticket.

Funds.

(a) The funds and property of the Union shall be controlled by the Central Council, who shall have power to invest and deal with them in accordance with the objects, constitution and rules of the Union. They shall have power to disburse such sums for the purposes of the Union as may be deemed necessary.

(b) All funds and property now held by existing Organisations shall become the property of the Central Council.

(c) Any part of such funds as may be derived from or be a part of protective and benefit schemes shall be consolidated as a Friendly Society Department under the control of the Central Council, membership therein to be voluntary; membership contributions to such Department to be in addition and apart from the ordinary contribution payable for membership of the Union.

(d) The Central Council shall have full control of all financial matters, and shall appoint such agents, stewards or collectors to receive contributions from members as may be deemed necessary. Contributions must be remitted in full to the Secretary, Treasurer or other officer duly appointed by the Central Council to receive same.

(e) Accounts shall not be paid, nor shall the funds of the Union be disbursed, except by or with the consent of the Central Council.

(f) The advances for petty cash and management purposes may be made to each Department as found necessary by the Central Council.

Office.

(a) The Central Office shall be established, from which the business of the Union shall be conducted. Such office shall be organised in two departments, each department to be managed by capable and qualified officers appointed by the Central Council.

(b) There shall be a Secretary, Treasurer and a General Organiser, who shall be elected by ballot of the whole of the members of the Union, and shall hold office for 12 months, but shall be eligible for re-election.

(c) There shall be a Departmental Secretary and an Organiser, who shall be elected by members of the Union in such Department. They shall hold office for 12 months, but shall be eligible for re-election. For their services they shall receive an amount as the Central Council may from time to time determine.

(d) That where necessary the Secretary shall be elected in a section to attend to the business of the Sectional Department, who shall submit to the Secretary of his Department all business done. He shall be elected by the members of the Union in such section, and shall hold office for 12 months. He shall be eligible for re-election. For his services he shall receive an amount as the Central Council may from time to time determine.

(8) SCHEME OF FEDERATION PROPOSED AS AN ALTERNATIVE TO THE "ONE BIG UNION" SCHEME.

I.—The Union.

II.—The Industrial Group.

III.—The District Committee.

IV.—The State Congress.

V.—The State Executive.

(a) Organisation.

(i.) **The Union.**—Autonomous and self-governing; embracing all workers engaged in the special branch of the industry to which its members belong; controlling its own membership in purely domestic affairs:—Terms of admission, qualifications, contributions, rates of pay, wages board representation, etc.

(ii.) **The Industrial Group.**—Comprising all unions allotted to the Industrial Group. To be governed by a Council (termed the Industrial Council), consisting of representatives from each affiliated union elected on the following numerical basis:—Unions of up to 100 members, one representative; unions of 101 to 500 members, two representatives; unions of 501 to 1,000, three representatives; unions of 1,000 and upwards, four representatives.

The executive body of the Council shall consist of:—The President, two Vice-Presidents, the Secretary (who shall be a fully-paid officer) and five elected members of the Council.

(iii.) **The District Committee.**—A consultative body chiefly, comprising two (2) representatives from each Industrial Group within the district.

The delimitation of "districts" to be arranged by Conference.

(iv.) **The State Congress (meeting annually or when necessary).**—The legislative authority of industry within the State, comprising representatives from each Industrial Group, the whole of the members of the group voting together, not as unions, in the election of representatives.

(v.) **The State Executive.**—The President, two Vice-Presidents, the Secretary, and four elected members of the State Congress shall form the State Executive. They shall remain in office until the close of the sittings of the next succeeding Annual Congress.

(b) Powers.

(i.) **The Union.**—The Union to retain all autonomous powers not inconsistent with the powers specially conferred by this constitution upon the various component parts of the Federation.

The Union may deal with disputes involving its own members only. Appeals may be made, either by the aggrieved member or Union, to Industrial Council, to the State Executive, and finally to Annual Congress.

(ii.) **The Industrial Group.**—The Council of the group shall control all disputes, industrial and other, involving more than one union.

No union within the group shall cease work, in the case of dispute, without the sanction of the Council or its Executive.

The Council shall undertake the organisation of the whole of the labour comprised in the industry, and for that purpose may retain the services of such organisers as may be found necessary and expedient. The Council shall provide and issue a uniform quarterly clear card to all members of the group. Transfers shall be governed by a method prescribed by the Council. The Council, through its Executive, shall conduct all negotiations affecting the interests of the group, with employers, public bodies, and Government Departments.

(iv.) **The State Congress.**—The industrial parliament of the State will discuss questions of industrial principle and policy; make pronouncements upon legislation affecting industry; shape the general policy of the organisation; deal with disputes and all matters set forward by the Industrial groups or by the unions; make representations to Parliament, and generally act in the interests of organised Labour.

(v.) **The State Executive.**—Will summon and manage Congress; take control of disputes involving more than one industrial group; carry out the instructions of Congress, and generally act as the executive body of Labour within the State.

(c) Finance.

(i.) **Unions.**—Will raise and control their own funds, subject to such limitations and stipulations as are provided in this constitution.

(ii.) **The Industrial Group.**—The Council of the group shall receive from each affiliated union a quarterly contribution of 1/- per financial member for the general expenses of the Council.

Out of such income the Council shall pay the salaries of its secretary, organisers and such other authorised expenditure as may be incurred, including contributions to cost of Annual Congress.

In the case of an industrial dispute the Council may make requisition upon the unions in the form of a levy, subject to the approval of a two-thirds majority of members voting as a group and not as unions. Any such levy having been duly imposed, shall be due and payable by each and every member of the several affiliated unions.

(iii). **The District Committee.**—The expenses of district committees shall be defrayed by the industrial groups, in equal shares, quarterly.

(iv.) **The State Congress and State Executive.**—Industrial groups will defray expenses of representatives direct. The general expenses of Congress and of the State Executive will be met by a payment of per delegate to Congress.

(d) Voting.

Voting on all matters affecting the interests of the Federation, unless otherwise determined by those called upon to vote, shall be by secret ballot.

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